



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, THURSDAY, JUNE 13, 2002

No. 78

## House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, guide your people by the spirit of understanding which will lead them ultimately to eternal wisdom. Since Your servants live in a world of human failure and broken promises, may they be tolerant of the faults of others because they are so aware of their own unfaithfulness. All of us are yet to realize our own full potential as being truly the free children of God.

In this information age, hindsight may give us better sight, but we still live only on fragments of what You would have us judge as truth.

Bless all with a quiet respect for the diversity for opinions. Through honest dialogue and contemplative listening, may Your servants in government search all the avenues open to them to meet today's challenges of integrity and justice.

Through the formulation of law and the formation of public opinion, may this House foster the restoration of credibility in the institutional life of this Nation and this Government by the people and for the people now and forever. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MCGOVERN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Massachusetts (Mr. MCGOVERN) come forward and lead the House in the Pledge of Allegiance.

Mr. MCGOVERN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain one-minute speeches today at the end of legislative business.

### PROVIDING FOR CONSIDERATION OF H.R. 4019, PERMANENT MARRIAGE PENALTY RELIEF ACT OF 2002

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 440 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 440

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4019) to provide that the marriage penalty relief provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the

bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Washington (Mr. HASTINGS) is recognized for one hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 440 is a modified, closed rule providing for the consideration of H.R. 4019, a bill to provide that the marriage penalty relief provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent.

The rule provides 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule further provides for consideration of the amendment in the nature of a substitute printed in the Committee on Rules' report accompanying the resolution if offered by the gentleman from New York (Mr. RANGEL) or his designee.

The substitute shall be considered as read and shall be separately debatable

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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for one hour, equally divided and controlled by the proponent and an opponent.

Finally, the rule waives all points of order against the amendment printed in the report and provides one motion to recommit with or without instructions.

Mr. Speaker, as with the death tax repeal provisions passed by the House last week, it is necessary for this body to act again today because when Congress enacted the Marriage Penalty Relief of 2001, an arcane procedural rule in the other body required that much-needed relief for married taxpayers be terminated on July 1, 2011. This clearly contradicts the original will of the House as our bill had no sunset provision. We passed marriage penalty relief in the first place because it is unfair and even morally wrong for the Federal Government to tax working men and women at a higher rate if they are married than if they instead choose to remain single while living together. We corrected that inequity because simple fairness demands it. And fundamental fairness also demands that we make that change permanent because to do otherwise means that on January 1, 2011, every married couple in America, every married couple in America, will face a significant tax increase. No one else, just married couples. In fact, failure to act on H.R. 4019 will result in a tax increase of \$42 billion in 2010 and 2011 for low and middle income taxpayers alone.

That is not what this House intended and it is up to us to do something about it. For that reason I am pleased that the Committee on Ways and Means has reported legislation removing the "sunset" provisions of the marriage penalty relief we passed last year. This bill, H.R. 4019, will make the following provisions from last year's law permanent. It will increase the standard deduction for married couples to twice the deduction for single taxpayers. It will increase the width of the 15 percent tax bracket for married couples so that it is twice as wide as the bracket for single taxpayers. It will increase the phaseout range of the earned income tax credit by \$3,000 for married couples and simplifies the earned income tax credit to reduce tax complexity for low income taxpayers.

Mr. Speaker, as I said a moment ago, we are only taking up this legislation because of an obscure procedural obstacle in the other body. We have an opportunity today to correct that injustice, and I urge my colleagues to do so by adopting both this rule and the underlying bill H.R. 4019.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself as much time as I may consume. I thank the gentleman from Washington for yielding me the customary 30 minutes.

Mr. Speaker, although this rule makes a Democratic substitute in order and I have no problem with the

rule, I believe that this is not the right time to be considering the underlying legislation. Our Nation's fiscal house is not in order, but instead of working to return this country back to the budget surpluses of 3 years ago, the Republican majority continues to dig us further into a deeper fiscal hole. Instead of working together for the good of all Americans, the majority continues to bring legislation to this floor that is politically designed for the November campaign. This body, Mr. Speaker, is sound bite central. Listen to the debate today and get used to the sound bites because the arguments we hear today will sound a lot like tomorrow's campaign ads. There is a time and place for politics but not here and not now.

There is a strong desire for tax relief in both the Democratic and Republican parties, but we have serious disagreements about who should benefit from that relief. Democrats believe tax relief should go to working families trying to make ends meet, not billionaire CEOs and multinational corporations. We all agree that families who are unfairly penalized by the marriage penalty tax deserve relief. We could provide that relief right now, but, Mr. Speaker, the devil is always in the details and the details show that this bill is bad news for the people's budget.

Consider the facts. The marriage penalty tax provisions included in last year's tax cuts don't begin to take effect until 2005 and they don't expire until 2010 and primarily benefit wealthier Americans, not lower and middle income families who should benefit the most from this relief. If the majority is so concerned about tax relief for married couples, why did they not make this relief effective immediately instead of forcing families to wait until 2005? Why is there such a rush to extend these tax cuts beyond any reasonable budget projections? As a result of last year's tax cut, the recession, and the economic consequences of September 11, this country now has a \$200 billion budget deficit. Of course, this deficit comes on the heels of record budget surpluses created during the Clinton administration.

But does the Republican majority do anything to help dig this country out of the fiscal hole we are in? No. Last week this House approved legislation repealing the sunset of the estate tax. This repeal would cost almost three quarters of a trillion dollars. The repeal of the sunset of the marriage penalty will cost another quarter of a trillion dollars over the next 2 decades. Where is this money coming from? How are we going to pay for it? Where are the offsets?

The real answer is disturbingly clear. These repeals will be paid for by dipping into the Social Security Trust fund.

□ 1015

The American people deserve to know that the Republican majority is

spending from the Social Security trust fund until the well is dry. The baby boomers will begin to retire in 2011, and we must prepare for their arrival into the Social Security system. Squandering the Social Security surplus is unacceptable, but that is what is happening here.

Of course, if we were in the mood to be responsible, there are always ways to pay for this bill. We have one very reasonable offset staring us in the face. Certain corporations are fleeing the United States for tax havens overseas, skipping out on their responsibilities. This House has the power to close this tax loophole by approving legislation introduced by our colleagues, the gentleman from Massachusetts (Mr. NEAL) and the gentleman from Connecticut (Mr. MALONEY). This legislation would save a minimum of \$4 billion over the next decade.

During the debate on the tax limitation amendment yesterday, the gentleman from Indiana (Mr. PENCE) said, "If you owe tax, pay taxes," and I agree. Corporations must pay the taxes that they owe. Congress should not allow these corporations to set up tax shelters overseas while continuing to operate in this country just to avoid paying taxes. Working families have to pay their taxes. The married couples we are discussing today have to pay their taxes. Why do these corporations not pay their taxes?

But no, every time the Democrats try to offer reasonable ways to pay for these bills, the majority leadership refuses to allow our amendments to even be considered. So what are they afraid of, Mr. Speaker?

The gentleman from California (Mr. MATSUI) will offer a Democratic substitute that will protect Social Security for the next generation. This substitute still permanently extends marriage penalty relief, but it adds a trigger requiring the Office of Management and Budget to certify that this permanent repeal will not raid the Social Security trust fund, and let me repeat that. All this does is require the Office of Management and Budget to certify that this permanent repeal will not raid the Social Security trust fund.

I think almost every Member of this body has voted not to spend Social Security funds on anything but Social Security. We have had votes on lockboxes and everything else, and people have centered all their press releases about how they want to protect Social Security. Here is a way to show it.

Our substitute would protect Social Security for future generations. We owe it to the American people to maintain the solvency of the system, and I urge my colleagues, both Republican and Democrat, to support our substitute.

Mr. Speaker, this debate is not about marriage. All of us support the institution of marriage. All of us believe that married couples should not be unfairly penalized. Rather, this debate is about responsibilities. Are we going to be responsible and pay for the bills we pass,

or are we going to steal from the baby boomers by taking funds from Social Security, one of the most important social programs in the history of the United States?

We are witnessing an incredibly disturbing trend on the part of the majority. A few weeks ago, the Republican leadership buried a huge increase in the debt ceiling in a rule so Members could avoid taking responsibility for their votes, so that no one has to go home and say they voted to increase the debt ceiling, when, in fact, that is what we are doing.

Mr. Speaker, Members of this House cannot hide forever. The American people know what is going on here. They know that the surplus is gone. They know that to pay for some of these tax measures that we have no offsets for, that we are going to dip into the Social Security trust fund; and they are very much against that. I believe they deserve a heck of a lot better.

We must be fiscally responsible. We must live up to our promises; and in the end, we should defeat this bill and support the Democratic substitute.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from Illinois (Mr. WELLER), who has been a champion of this issue since he first came to Congress.

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I stand in support of this rule. I stand in strong support of the basic bill that will come before this House. I urge bipartisan opposition to the substitute and motion to recommit that will be offered today and ask bipartisan support for permanent elimination of the marriage tax penalty.

We are already hearing in the debate that has begun basically the excuses. We have to remember as we look back over the previous times we debated eliminating the marriage tax penalty there were always those on the other side of the aisle who used every procedural trick they could come up with or argument to oppose eliminating the marriage tax penalty because that is what it is all about here in Washington. It is who controls those dollars and whether they are going to be spent here in Washington or spent back home.

That is part of the fundamental debate we have today in this issue of the marriage tax penalty. Unfortunately, because of an arcane rule in the Senate, marriage tax penalty relief, which was included in the Bush tax cut, was provided for on a temporary basis; and unfortunately when it expires, it will amount to a \$42 billion tax increase on 36 million married working couples who suffer what we call the marriage tax penalty.

Let me explain what the marriage tax penalty is. That is when there is a

husband and wife who are both in the workforce, and because when they marry they jointly combine their income, and that is what their taxes are based on, that historically has pushed them into a higher tax bracket, forcing married working couples to pay higher taxes. And that is a pretty important question: Do we believe it is right, do we believe it is fair that married couples, married working couples, a man and woman, both in the workforce, should pay higher taxes just because they are married? Is it right that under our Tax Code, that our Tax Code punishes society's most basic institution? I think not.

I have been proud that this House has led the fight in eliminating the marriage tax penalty. Every House Republican has voted to eliminate the marriage tax penalty, even 60-some Democrats joined with us because they recognize that it is wrong to impose taxes on marriage; and today, we are going to hear from those who fought every step of the way our efforts to eliminate the marriage tax penalty, and they are going to say just about anything, even saying Social Security is somehow in jeopardy, if we eliminate the marriage tax penalty.

I would note that, by law, the assets in the Social Security trust fund cannot be spent on anything but Social Security, regardless of what the rest of the budget looks like for that given year.

Let me give my colleagues an example of a couple back in my district that I represent who benefit from what we call the Bush tax cut, who benefit from our efforts to eliminate the marriage tax penalty.

I have here before us Jose and Magdalena Castillo and their children Eduardo and Carolina. Jose and Magdalena are a working couple from Joliet, Illinois. Jose has an income of about \$57,000. Magdalena has an income of \$25,000. Because they are married, they file jointly. Their marriage tax penalty was \$1,125 before the Bush tax cut was signed into law a year ago, and if we fail to make permanent marriage tax relief once again, the Castillo family will suffer the marriage tax penalty, and in their case, that is \$1,125.

Think about it. Here in Washington, \$1,125 is pocket change, when we are talking in millions and billions and trillions, the big numbers we talk about; but for a working couple, the 36 million married couples who suffer the marriage tax penalty, it is real money. That \$1,125 is several months of day care for little Carolina and Eduardo. It is a couple of months' worth of car payments. It is a down payment on a home or a new car. It is money that can be set aside in education savings accounts for Eduardo and Carolina and for their future plans and their future years, but it is real money for real people.

We worked to eliminate the marriage tax penalty in several ways, and President Bush signed into law our legislation last year which helped those who

do not itemize their taxes, which are 20 million married couples suffering the marriage tax penalty, by doubling the standard deduction to twice that for single filers. That benefits 20 million couples who do not itemize their taxes. For those who do, middle-class couples suffering the marriage tax penalty who happen to be homeowners or give to their church, their charity or synagogue or institution or organizations of faith, homeowners that itemize, we widen the 15 percent tax bracket so they can earn twice as much income as a joint filer as a single person could make and still pay in the 15 percent tax bracket. That benefits 21 million married working couples in the middle class.

Also, we help the working poor. There are 4 million working-poor married couples who now qualify for the earned income tax credit, the EIC, because of the marriage tax relief that we provide. As a result of that, we benefit 36 million married working couples. Think about that. What would happen to these 36 million working couples if we failed to make marriage tax penalty relief permanent? They are going to pay a \$42 billion tax increase in the first 2 years.

There are those in Washington who we are going to hear from today who are going to say we should let it expire; we need that money to spend here in Washington. Well, I believe a majority of this House will side with the Castillo family today. I believe that a majority of the House, in a bipartisan way, is going to side with hardworking, middle-class families, like the Castillos, and say, let us protect that marriage tax relief.

Let us make it permanent to ensure that couples like Jose and Magdalena are able to use that money for their own needs back at home and take care of little Carolina and Eduardo, because that is what this is all about. We want to make our Tax Code more fair; and of course, we were successful last year in eliminating the marriage tax penalty.

Unfortunately, because of an arcane rule in the Senate, it was temporary. And it is funny: here in Washington it is so easy to pass a permanent tax increase. It is so easy to pass a permanent spending increase, but there are people here in Washington that will fight tooth and nail every effort to help working families like the Castillos by providing permanent marriage tax relief.

Let us work in a bipartisan way. Let us work to help good hardworking people like the Castillos keep their own hard-earned dollars. Why should they pay higher taxes just because they are married? Often, it is asked in this debate who most benefits from tax relief. Well, if we look at the statistics, those who earn between \$20,000 and \$75,000, middle-class families are those who are hardest hit by the marriage tax penalty.

So if we all claim to be friends of the middle class, we should want to make

permanent marriage tax relief, and I know we are going to hear from the excuses caucus who are going to come up with every excuse to oppose this legislation. Let us move in a bipartisan way. Let us have bipartisan support for this rule. Let us move for permanent marriage tax relief.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to say that I agree with the gentleman from Illinois that families like the ones he mentioned, Jose and Magdalena, deserve relief, and we all want to work to provide them that relief; but what we are simply saying here is we need to make sure we properly pay for that relief. I am sure that that family would not appreciate knowing that we are paying for some of these tax cut bills by dipping into the Social Security trust fund.

Every time that we pass an education measure here, we have to find an offset. Every time we pass a bill to protect a park or to improve our environment, we need an offset. Every time we have a health care measure on the floor, we need an offset; and yet what we are asking for here is where are the offsets to pay for all of this.

The American people do not want to go further into debt. The American people do not want to jeopardize the Social Security trust fund. They want us to be responsible, and I think working in a bipartisan way we could provide marriage tax relief and at the same time pay for it; but for whatever reason, the other side does not want to do that.

Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. This 15-minute vote on agreeing to the resolution will be, followed by a 5-minute vote, if ordered, on approving the Journal.

The vote was taken by electronic device, and there were—yeas 385, nays 22, not voting 27, as follows:

[Roll No. 226]

YEAS—385

Ackerman	Allen	Baca
Aderholt	Andrews	Bachus
Akin	Armey	Baird

Baker	Flake	LoBiondo
Baldacci	Fletcher	Lofgren
Baldwin	Foley	Saxton
Ballenger	Ford	Lucas (KY)
Barcia	Fossella	Lucas (OK)
Barr	Frank	Luther
Barrett	Frelinghuysen	Lynch
Bartlett	Frost	Maloney (CT)
Barton	Gallegly	Maloney (NY)
Bass	Gillmor	Manzullo
Becerra	Ganske	Markey
Bentsen	Gekas	Mascara
Bereuter	Gephardt	Matheson
Berkley	Gibbons	Matsui
Berman	Gilchrest	McCarthy (MO)
Berry	Gillmor	McCarthy (NY)
Biggert	Gilman	McCollum
Bilirakis	Gonzalez	McCrery
Bishop	Goode	McGovern
Blumenauer	Goodlatte	McHugh
Blunt	Gordon	McIntyre
Boehlert	Goss	McKeon
Boehner	Graham	McKinney
Bonilla	Granger	McNulty
Bonior	Graves	Meehan
Boozman	Green (TX)	Meek (FL)
Borski	Green (WI)	Meeks (NY)
Boswell	Greenwood	Menendez
Boucher	Grucci	Mica
Boyd	Gutierrez	Millender-
Brady (PA)	Gutknecht	McDonald
Brady (TX)	Hall (TX)	Miller, Dan
Brown (FL)	Hansen	Miller, Gary
Brown (OH)	Harman	Miller, George
Brown (SC)	Hart	Miller, Jeff
Bryant	Hastings (FL)	Mink
Burr	Hastings (WA)	Mollohan
Buyer	Hayes	Moore
Callahan	Hayworth	Moran (KS)
Calvert	Hefley	Moran (VA)
Camp	Herger	Morella
Cannon	Hill	Murtha
Cantor	Hinojosa	Myrick
Capito	Hobson	Napolitano
Capps	Hoeffel	Neal
Capuano	Hoekstra	Nethercutt
Carson (IN)	Holden	Ney
Carson (OK)	Holt	Northup
Castle	Honda	Norwood
Chabot	Hooey	Oberstar
Chambliss	Horn	Obey
Clay	Hostettler	Oliver
Clement	Hoyer	Ortiz
Clyburn	Hulshof	Osborne
Coble	Hunter	Ose
Collins	Hyde	Otter
Condit	Inslee	Oxley
Cooksey	Isakson	Pallone
Costello	Israel	Pascarell
Cox	Issa	Paul
Coyne	Istook	Payne
Cramer	Jackson-Lee	Pelosi
Crenshaw	(TX)	Pence
Crowley	Jefferson	Peterson (PA)
Cubin	Jenkins	Petri
Culberson	John	Phelps
Cunningham	Johnson (CT)	Pickering
Davis (CA)	Johnson (IL)	Pitts
Davis (FL)	Johnson, Sam	Platts
Davis (IL)	Jones (NC)	Pombo
Davis, Jo Ann	Kanjorski	Pomeroy
Davis, Tom	Kaptur	Portman
Deal	Keller	Pryce (OH)
DeGette	Kelly	Putnam
Delahunt	Kennedy (MN)	Radanovich
DeLauro	Kerns	Rahall
DeLay	Kildee	Ramstad
DeMint	Kilpatrick	Rangel
Diaz-Balart	Kind (WI)	Regula
Dicks	King (NY)	Rehberg
Dingell	Kingston	Reyes
Doggett	Kirk	Reynolds
Dooley	Knollenberg	Riley
Doolittle	Kolbe	Rivers
Doyle	LaFalce	Rodriguez
Dreier	LaHood	Roemer
Duncan	Lampson	Rogers (KY)
Dunn	Langevin	Rogers (MI)
Edwards	Lantos	Rohrabacher
Ehlers	Larsen (WA)	Ros-Lehtinen
Emerson	Larson (CT)	Ross
Engel	Latham	Rothman
Eshoo	LaTourette	Roukema
Etheridge	Leach	Roybal-Allard
Evans	Levin	Royce
Everett	Lewis (CA)	Rush
Farr	Lewis (GA)	Ryan (WI)
Fattah	Lewis (KY)	Ryun (KS)
Ferguson	Linder	Sanchez
	Lipinski	

Sandlin	Souder	Udall (CO)
Sawyer	Spratt	Udall (NM)
Saxton	Stearns	Upton
Schaffer	Stenholm	Velazquez
Schiff	Strickland	Visclosky
Schrock	Stump	Vitter
Scott	Stupak	Walden
Sensenbrenner	Sullivan	Walsh
Serrano	Sununu	Wamp
Sessions	Sweeney	Watkins (OK)
Shadegg	Tancred	Watson (CA)
Shaw	Tanner	Watts (OK)
Shays	Tauscher	Waxman
Sherwood	Tauzin	Weiner
Shimkus	Taylor (MS)	Weldon (FL)
Shows	Taylor (NC)	Weldon (PA)
Shuster	Terry	Weller
Simmons	Thomas	Wexler
Simpson	Thompson (CA)	Whitfield
Skeen	Thompson (MS)	Wicker
Skelton	Thornberry	Wilson (NM)
Slaughter	Thune	Wilson (SC)
Smith (MI)	Thurman	Wolf
Smith (NJ)	Tiahrt	Woolsey
Smith (WA)	Tiberi	Wu
Snyder	Toomey	Wynn
Solis	Turner	Young (FL)

#### NAYS—22

Abercrombie	Jackson (IL)	Schakowsky
Cardin	Klecza	Sherman
Conyers	Kucinich	Stark
Cummings	Lee	Tierney
DeFazio	Nadler	Waters
Filner	Pastor	Watt (NC)
Hilliard	Sabo	
Hinchey	Sanders	

#### NOT VOTING—27

Blagojevich	Forbes	Nussle
Bono	Hall (OH)	Owens
Burton	Hilleary	Peterson (MN)
Clayton	Houghton	Price (NC)
Combest	Johnson, E. B.	Quinn
Crane	Jones (OH)	Smith (TX)
Deutsch	Kennedy (RI)	Towns
Ehrlich	McDermott	Trafigant
English	McInnis	Young (AK)

□ 1054

Messrs. WATT of North Carolina, STARK, SHERMAN, CONYERS, KUCINICH, Ms. LEE and Mr. SANDERS changed their vote from “yea” to “nay.”

Ms. KILPATRICK, Mr. DOGGETT, Ms. CARSON of Indiana and Mr. HOLT changed their vote from “nay” to “yea.”

Mr. TANCREDO changed his vote from “present” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NUSSLE. Mr. Speaker, on Thursday, June 13, 2002, my vote was not recorded on rollcall vote No. 226. Had my vote been recorded, it would have been in the following manner: Rollcall vote No. 226—H. Res. 440 providing for the consideration of H.R. 4019—“aye.”

#### THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 344, noes 56, answered “present” 1, not voting 33, as follows:

[Roll No. 227]

## YEAS—344

Abercrombie	Dingell	Kelly
Ackerman	Doggett	Kerns
Akin	Dooley	Kildee
Allen	Doolittle	Kilpatrick
Andrews	Doyle	Kind (WI)
Baca	Dreier	King (NY)
Bachus	Duncan	Kingston
Baker	Dunn	Kirk
Baldacci	Edwards	Kleczka
Ballenger	Ehlers	Knollenberg
Barcia	Ehrlich	Kolbe
Barr	Emerson	LaFalce
Barrett	Engel	LaHood
Bartlett	Eshoo	Lampson
Barton	Etheridge	Langevin
Bass	Evans	Lantos
Becerra	Everett	Larson (CT)
Bentsen	Farr	LaTourette
Bereuter	Fattah	Leach
Berkley	Ferguson	Lee
Berman	Flake	Levin
Berry	Foley	Lewis (CA)
Biggert	Fossella	Lewis (KY)
Billirakis	Frank	Linder
Bishop	Frelinghuysen	Lipinski
Blumenauer	Frost	Lofgren
Blunt	Galleghy	Lowe
Boehlert	Ganske	Lucas (KY)
Boehner	Gekas	Lucas (OK)
Bonilla	Gephardt	Luther
Bonior	Gibbons	Lynch
Boozman	Gilchrest	Maloney (CT)
Boswell	Gillmor	Maloney (NY)
Boucher	Gilman	Mascara
Boyd	Gonzalez	Matheson
Brady (TX)	Goode	Matsui
Brown (FL)	Goodlatte	McCarthy (MO)
Brown (SC)	Gordon	McCarthy (NY)
Bryant	Goss	McCollum
Burr	Graham	McCreery
Buyer	Granger	McHugh
Callahan	Graves	McIntyre
Calvert	Greenwood	McKeon
Camp	Grucci	McKinney
Cannon	Gutierrez	Meehan
Cantor	Hall (TX)	Meek (FL)
Capito	Hansen	Meeks (NY)
Capps	Harman	Mica
Cardin	Hastings (WA)	Millender-
Carson (IN)	Hayes	McDonald
Carson (OK)	Hayworth	Miller, Dan
Castle	Herger	Miller, Gary
Chabot	Hill	Miller, Jeff
Chambliss	Hinojosa	Mink
Clay	Hobson	Mollohan
Clement	Hoefel	Moore
Clyburn	Hoekstra	Moran (VA)
Coble	Holden	Morella
Collins	Holt	Murtha
Condit	Honda	Myrick
Conyers	Hooley	Nadler
Cooksey	Horn	Napolitano
Cox	Hostettler	Neal
Coyne	Hoyer	Nethercutt
Cramer	Hunter	Ney
Crenshaw	Hyde	Northup
Crowley	Inslee	Norwood
Cubin	Isakson	Nussle
Culberson	Israel	Obey
Cummings	Issa	Ortiz
Cunningham	Istook	Osborne
Davis (CA)	Jackson (IL)	Ose
Davis (FL)	Jackson-Lee	Otter
Davis (IL)	(TX)	Oxley
Davis, Jo Ann	Jefferson	Pascarell
Davis, Tom	Jenkins	Pastor
Deal	John	Paul
DeGette	Johnson (CT)	Pelosi
Delahunt	Johnson (IL)	Pence
DeLauro	Johnson, Sam	Peterson (PA)
DeMint	Jones (NC)	Petri
Diaz-Balart	Kanjorski	Phelps
Dicks	Keller	Pickering

Platts	Saxton	Thomas
Pombo	Schiff	Thornberry
Pomeroy	Schrock	Thune
Portman	Sensenbrenner	Thurman
Pryce (OH)	Serrano	Tiahrt
Putnam	Sessions	Tiberi
Radanovich	Shadegg	Tierney
Rahall	Shaw	Toomey
Rangel	Shays	Turner
Regula	Sherman	Upton
Rehberg	Sherwood	Velazquez
Reyes	Shinkus	Vitter
Reynolds	Shows	Walden
Riley	Shuster	Walsh
Rivers	Simmmons	Wamp
Rodriguez	Simpson	Watkins (OK)
Romer	Skeen	Watson (CA)
Rogers (KY)	Skelton	Watt (NC)
Rogers (MI)	Slaughter	Watts (OK)
Rohrabacher	Smith (MI)	Waxman
Ros-Lehtinen	Smith (NJ)	Weiner
Ross	Smith (WA)	Weldon (FL)
Rothman	Snyder	Weldon (PA)
Roukema	Solis	Wexler
Roybal-Allard	Souder	Whitfield
Royce	Spratt	Wilson (NM)
Rush	Stearns	Wilson (SC)
Ryan (WI)	Sullivan	Wolf
Ryun (KS)	Sununu	Woolsey
Sanchez	Tauscher	Wynn
Sanchez	Tauzin	Young (FL)
Sandlin	Taylor (NC)	
Sawyer	Terry	

## NAYS—56

Aderholt	Hulshof	Sabo
Baird	Kennedy (MN)	Schaffer
Baldwin	Kucinich	Schakowsky
Borski	Larsen (WA)	Scott
Brady (PA)	Latham	Strickland
Brown (OH)	Lewis (GA)	Stupak
Capuano	LoBiondo	Sweeney
Costello	Manzullo	Tanner
Crane	Markey	Taylor (MS)
DeFazio	McGovern	Thompson (CA)
Filner	McNulty	Thompson (MS)
Fletcher	Menendez	Udall (CO)
Green (TX)	Miller, George	Udall (NM)
Gutknecht	Moran (KS)	Visclosky
Hart	Oberstar	Waters
Hastings (FL)	Oliver	Weller
Hefley	Pallone	Wicker
Hilliard	Payne	Wu
Hinche	Ramstad	

## ANSWERED “PRESENT”—1

Tancredo

## NOT VOTING—33

Armye	Green (WI)	Peterson (MN)
Blagojevich	Hall (OH)	Pitts
Bono	Hilleary	Price (NC)
Burton	Houghton	Quinn
Clayton	Johnson, E. B.	Smith (TX)
Combest	Jones (OH)	Stark
DeLay	Kaptur	Stenholm
Deutsch	Kennedy (RI)	Stump
English	McDermott	Towns
Forbes	McInnis	Trafigant
Ford	Owens	Young (AK)

□ 1102

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on June 13, 2002, I was unavoidably detained at the Martin Luther King Jr. National Memorial Project Board of Directors Meeting. Consequently I missed two votes.

Had I been here I would have voted: “yea” on rollcall No. 226; “aye” on rollcall No. 227.

## PERMANENT MARRIAGE PENALTY RELIEF ACT OF 2002

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 440, I call up the bill (H.R. 4019) to provide that the marriage penalty relief provisions of the

Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 440, the bill is considered read for amendment.

The text of H.R. 4019 is as follows:

## H.R. 4019

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. MARRIAGE PENALTY RELIEF PROVISIONS MADE PERMANENT.

Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to title III of such Act (relating to marriage penalty relief).

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider an amendment printed in House Report 107-504, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered read, and shall be debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. THOMAS) and the gentleman from California (Mr. MATSUI) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, yesterday the House was privileged in a joint session to hear from the Prime Minister of Australia. It was, I hope, for most Members a rather refreshing presentation of the closeness of the two countries, because he provided us with a speech which pointed with pride and viewed with alarm.

He talked about areas in which we have common purpose, and areas where the Australians, through the Prime Minister as the head of the government, had some concern about legislation that we might be passing.

But I want to focus on one small statement that he made which I think has profound significance and which I had not quite heard it put the way the Prime Minister put it. He said that the best structure for social welfare is the family. And although we have discussed in many different ways the value and virtues of the family, the idea that from a societal point of view the ability to nurture the family structure as the best social welfare unit is, I think, what we are about today.

In this system, or in any system, if you do not want something, if you want to discourage it, you put up barriers. One of the cleanest barriers that you can put up to stop activity is to tax something. If it costs you more to do a particular behavior, you tend to do less of it. If we want to encourage a particular kind of behavior, we should reward it or create incentives for it, or, at the very least, make sure that in the

way we engage in governmental interactivity in that area is to remain neutral.

We are here today to take the tax structure, which historically has penalized marriage, which is the foundation for that family unit, and we have penalized it by virtue of the way in which the tax structure is arranged. Indeed, today we are half enlightened. That is, we have decided to suspend the penalty through the tax structure on marriage for a period of time.

It is through no fault of the House that this has occurred, because the House passed permanent marriage relief reform. It is because of the constitutional necessity to have the House and the Senate agree on a structure to be sent to the President to become law. Under the arcane rules of the Senate, at the time that this was moved, it could only be done for 10 years.

Notwithstanding the fact that 10 years seems a long way off, one of the things we ought to do at the first opportunity and at every opportunity is to correct that fundamental flaw, that if in fact we have decided that we ought not to penalize marriage, then we ought to make it permanent. And that is the sum and substance of the legislation that is before us today, to take a provision that is currently temporary in the law and make it permanent. If you are not going to incentivize marriage, at the very least make sure you do not punish it. That is what this vote and debate is all about.

Mr. Speaker, I yield the balance of my time to the gentleman from Illinois (Mr. WELLER), and ask unanimous consent that he control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, last night I had a chance to meet with members of the medical community in a new part of my district and with senior advocates, and they asked me what Congress was going to do about prescription medicine because of the dire need in our community. They wanted to know what was going to happen with hospital and physician reimbursement rates, because there is a real critical need in that community. They wanted to know whether seniors were going to have greater choice in their options under Medicare. But they wanted to know whether the funds would be available in Congress to deal with these issues.

I explained to them the budget problems that we are currently confronting, and they certainly understand the fact that we do not want to use Social Security funds in order to deal with these pressing needs. They

understand the dilemma we are in, primarily because of the tax bill that we passed last year.

I know that there are Members on both sides of the aisle that share our concern about acting this year on prescription medicines for seniors and protecting the Social Security system. So, quite frankly, Mr. Speaker, I do not understand why we are considering this bill at this time.

The bill takes effect 10 years from now. If we learned anything during the debate last year, it is that we cannot even predict 1 year in the future, let alone 10 years in the future.

Last year we thought we had a \$5.6 trillion surplus. We are now told that under the unified budget that the deficit this year, not surplus, deficit, will be between \$150 billion to \$200 billion. We cannot predict 1 year into the future. How can we predict 10 years in the future?

We do know that this legislation, when implemented, will cost another \$25 billion a year and add to our deficits. We do know that at the time this legislation takes effect, the baby boomers will become eligible for Social Security and Medicare, putting greater stress on both Social Security and Medicare.

Mr. Speaker, one thing is clear and that is that if you are going to go back this weekend and talk to your medical communities and your senior advocates and you are going to tell them how much you are in favor of prescription medicine coverage under Medicare and dealing with the other issues and that you are for fiscal responsibility, if you are going to do that, you cannot do that with a straight face and still vote for the legislation that is before us.

I urge my colleagues to reject the legislation.

Mr. WELLER. Mr. Speaker, I yield myself as much time as I might consume.

Before I begin my remarks, I would just like to note that my good friend, the gentleman from Maryland (Mr. CARDIN), has consistently voted "no" on efforts to eliminate the marriage tax penalty, and of course his justification for voting "no" again today, even though 66,851 married couples benefit from elimination of the marriage tax penalty in his district in Maryland, is consistent. So I commend him on his consistency for opposition to eliminating the marriage tax penalty, and his excuse that we need to spend more money here in Washington is something we will hear from all the others in opposition to this bill.

Mr. Speaker, I appreciate the opportunity before this House today to bring H.R. 4019, the Permanent Marriage Tax Relief Act of 2002, before this House of Representatives. This is legislation which makes the marriage tax penalty relief provisions of the Economic Growth and Tax Relief Act of 2001 permanent. We have often known that legislation as the Bush tax cut.

There are 36 million working married couples who are impacted by the mar-

riage tax penalty and who will benefit from the permanency that is before us today. During the last several years as we have debated eliminating the marriage tax penalty, we have often asked a very fundamental question, and that is, is it right, is it fair that under our Tax Code if one is married that one pays higher taxes than one would if he were single? Is it right that under our Tax Code that our society's most basic institution should suffer higher taxes just because a couple is married? And I am proud to say this House has addressed this issue, and last year we passed legislation to provide temporary relief eliminating the marriage tax penalty for a temporary period of time.

Let us remember that the marriage tax penalty is a middle-class issue. Almost every Member of this House often gets up and talks about how they are an advocate for the middle class because that is the majority of Americans, and I would note it is the middle class that suffers the marriage tax penalty disproportionately more than others; and those who suffer the most are in the income levels between \$20,000 and \$70,000. Again, the marriage tax penalty is a middle-class issue.

Mr. Speaker, I would note that 2 years ago we passed legislation providing for permanent marriage tax penalty relief. It passed with 282 to 144 votes, and even 64 Democrats joined with every House Republican to provide marriage tax relief benefiting 36 million married working couples; and unfortunately because of an arcane Senate rule, it forced our efforts to provide temporary relief, and that is why we are here today, to make it permanent.

Last year's tax law, which President Bush signed on June 6, 2001, eliminated the marriage tax penalty for 36 million couples in three different ways. There are different types of taxpayers out there. There are those who do not itemize, and those who do not itemize, they use something called the standard deduction; and what we did last year in legislation that became law under a temporary basis was double the standard deduction to twice that for joint filers to twice that for singles. That benefits 20 million American couples.

Second, for those who do itemize, and those are middle-class couples who own a home or give money to their church or institution of faith, their synagogue, their temple, their mosque, charity as well as probably own a home, they itemize. And they benefit from the widening of the 15 percent tax bracket so they can earn twice as much income in the 15 percent bracket as a joint filer as a single filer; 20 million couples benefit from the widening of the 15 percent tax bracket.

And, third, and we all care and are concerned about the working poor, we expanded the eligibility for the earned income credit for the working poor by eliminating the marriage penalty and the earned income credit, what some call the earned income tax credit.

□ 1115

That benefits 4 million married working couples who we consider working poor.

Mr. Speaker, 36 million married working couples benefit from the marriage tax relief that is before us today. It should be made permanent.

Since 1969, our tax laws have punished married couples when both spouses work, and there is no other reason. It is right and it is fair to eliminate the marriage tax penalty. We believe the Tax Code should be marriage-neutral, and a couple living together as two singles should pay no more than a married couple, and vice versa. Unfortunately, the marriage tax penalty has been proven to exact a disproportionate toll on working women and lower income couples with children.

Many times before this House I have introduced citizens of mine, couples from back home who suffer the marriage tax penalty. Recently I have introduced a couple from my district, Jose and Magdelene Castillo of Joliet, Illinois. They have a combined income of \$82,000 a year. Jose makes \$57,000, Magdelene makes \$25,000. They have 2 children, Eduardo and Carolina. As a result of the legislation we passed, their marriage tax penalty of \$1125 is eliminated with the temporary measure that we passed and was signed into law last year. That represented a 12 percent reduction in taxes for the Castillo family.

Now, \$1125 is pennies, pocket change in Washington, D.C., but for real people, real Americans, real working married couples back home in Joliet, Illinois, \$1125 is a lot of money. It is a sizeable amount of money to set aside each year in an education savings account for little Eduardo and Carolina. It is several months' worth of car payments; it is several months' worth of day care for Eduardo and Carolina while mom and dad are at work. The bottom line is, it is real money for real people.

In Illinois, 1,149,196 married working couples benefit from the \$2.9 billion of marriage tax relief they will receive because of the Bush tax cut enacted into law last year.

Congress needs to work together to ensure that this tax relief, this elimination of the marriage tax penalty, is permanent. It is a fairness issue. We must ensure that 36 million couples who benefit from the marriage tax penalty relief do not suffer a tax increase when this temporary provision expires. Again, \$1125 in marriage tax penalty relief is real money for Jose and Magdelene Castillo, and I would note for the 36 million married working couples, the \$42 billion tax increase that would occur when this provision expires is real money for those families as well.

Let me make it very clear. A vote against making permanent the marriage tax penalty relief legislation, a vote "no" on the legislation before us

today is a vote for a \$42 billion tax increase on 36 million married working couples.

Let us do the right thing. Let us be fair. Let us do the just thing for these married working couples. We are going to hear excuses from the same people who have voted consistently against providing marriage tax relief that they would rather find a way to spend this money here in Washington rather than allowing good couples like Jose and Magdelene Castillo to keep their hard-earned dollars to take care of their family's needs by eliminating the marriage tax penalty.

I ask for bipartisan support today, and I look forward to participating in the debate.

Mr. Speaker, I reserve the balance of my time.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

I really do not understand why the gentleman is so concerned about the marriage penalty tax expiring. Most of the provisions have not even come into effect yet. The doubling of the standard deduction for couples will not take effect until 2005. The doubling of the 15 percent back for couples will not take effect until 2005. In fact, the only provision in the whole area that has taken effect is the earned income tax credit. So I do not know why we are spending so much time on the whole issue of extending it when it has not even taken effect yet.

Mr. Speaker, I yield 5½ minutes to the distinguished gentleman from the State of Texas (Mr. DOGGETT), a member of the House Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me this time. I just want to say at the outset that the gentleman from Illinois's (Mr. WELLER) attack on our colleague, the gentleman from Maryland (Mr. CARDIN) with the suggestion that he has never supported correction of the marriage penalty is totally unjustified, and it is factually inaccurate. Indeed, in 1995, when the Republicans under Newt Gingrich had their much-ballyhooed "Contract With America," the Democrats on the Committee on Ways and Means, including the gentleman from Maryland (Mr. CARDIN), proposed to include marriage penalty tax relief and implement all of the provisions of the Contract With America on this subject in the tax bill before the committee.

It was the Republicans, on a party-line vote, because they had so many special interest provisions they loaded into that tax bill, who chose to reject marriage penalty tax relief. At every opportunity since then, Democrats have proposed more marriage penalty tax relief sooner than the Republicans have. So statements suggesting that there is some kind of party-line difference over marriage penalty tax relief are absolutely inaccurate.

Indeed, there has been, generally, broad, bipartisan support for correcting the marriage penalty. What we

have today has little to do with that. Indeed, some people have suggested that the Republican tactic of having a tax cut vote every week, more or less, is just a contrived, election year ploy. Others have suggested that no, it is really just the only subject, cutting taxes, that the Republican caucus can come to agreement on among themselves. And while both of those statements are probably true, I think that the real intention here in offering this proposal today as one element of a \$4 trillion tax cut relates to the basic opposition to the preservation of Social Security and Medicare by the Republican Party here in the House.

Mr. Speaker, the Members of the House Republican leadership have never really believed in Social Security and Medicare. To use their language, they want to "privatize" Social Security. They have a plan to privatize Medicare and encourage people to get out of the traditional Medicare system. There is no way that we can maintain the long-term dependability of Social Security and Medicare so long as we add another \$4 trillion of tax breaks, at the same time we are letting corporations flee America and escaping their responsibility to fund national security. There is no way we can have it all. I believe that the disinterest in having Medicare and Social Security as a publicly financed, publicly supported system in which every American can participate, that that lies at the heart of bills like the one we have here today.

Now, I have had the good fortune to be married to a great woman for a little over 32 years. My parents have been married for over 56 years. Marriage is a great institution. But I recognize that not every family in America has been as fortunate as I have. Indeed, the reason that this current problem in the Tax Code exists is because a widow from World War II came to the Congress decades ago and said that the law discriminates against me. I am having to pay more than my married friends, and my husband sacrificed his life in defense of this country. The bill that is before us today to make it permanent the way they have written it can just as easily be called the "Widow Penalty Act." It can be called the "Battered Woman Penalty Act." It can be called the "Single Person's Penalty Act," because it proposes to erect penalties in favor of marriage and against those who happen to be widows, who happen to be battered women who have left their husband and, for one reason or another, happen to be single.

I believe that our tax laws should be neutral. This is not a neutral law. It tends to give more of its benefits to those who are married.

Mr. KLECZKA. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, the previous speaker, the gentleman from Illinois (Mr. WELLER) indicated to the



House that a couple in his district, the Castillos, would stand to lose \$1,125. When, if ever, would that occur if we do not repeal the sunset?

Mr. DOGGETT. Mr. Speaker, they do not even propose to actually implement the marriage penalty under their proposal for several additional years. Now, if we had taken the Democratic alternative that we advanced last year, that would have been more beneficial to that family sooner than under their proposal.

Mr. KLECZKA. But is it not true that they would stand to lose money in 2010 if we do not repeal the sunset?

Mr. DOGGETT. Mr. Speaker, that is correct. There is nothing in today's bill that really helps them at all over the next several years.

Mr. KLECZKA. So this is 2002. So we are talking about something that might happen and might not happen in 8 years from now?

Mr. DOGGETT. Mr. Speaker, it is the specter. It is the ghost of relief. It is great for an election year, though. I think they have done a good job of having a good election year ploy.

But my concern is that with this basic underlying proposal, there is some discrimination against single parents, against widows; that is what led to this inequity to the code now. We ought not to disfavor them any more than we would disfavor married people.

Finally, it is a matter that the children of people—whether family, married, single parent, whatever—we are going to place a penalty on them, and it is a national debt that, if they can implement every one of these permanent proposals, will be \$4 trillion higher than if we reject them, as we should.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding to the gentlewoman from Washington (Ms. DUNN), I would like to comment that this legislation actually makes the Tax Code marriage-neutral so that single people, widows, single people pay no more in taxes than a joint filer does under their obligation, and vice versa. That was the goal of this legislation when it passed and still is the goal of the legislation.

I would also note that the gentleman from Indiana (Mr. DOGGETT) is being consistent. He voted "no" on providing marriage tax relief, even though there are 58,612 working married couples who suffer from the marriage tax penalty.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. DUNN), one of the House's leading advocates for widows and working women in the Congress and who has been a proven leader in the effort to ensure that family businesses stay in the family and in business when the founder passes on with her efforts in eliminating the death tax.

Ms. DUNN. Mr. Speaker, the Tax Code has many unfair and inexplicable provisions, but none is more harmful to young people wishing to marry and

young families than the marriage penalty, the bill we are debating today.

To increase the tax burden on a couple simply because they choose to marry is unjust. We ask for neutrality, to get in there and give extra credit to married people, or support single people ahead of married people, and this is the bill we are debating today.

Last year we passed the bill that alleviates the marriage penalty, but the problem is that it returns in 2011. So now we need to make it permanent.

I find it amusing, if not unexplainable, that the opponents of this bill are talking on the one hand about how we are impacting the deficit situation in the United States by the passage of the bill we are debating today and, on the other hand, being truthful by saying that this bill does not take effect until 2011. So you cannot have it both ways. We do not impact the financial situation of the United States by which we are all very concerned, but by the time this bill would go into effect, in fact, it would be January 1, 2011. Every number that we have puts us in the surplus position, whether it is in the Social Security Trust Fund or the national budget by that year.

So double-counting the dollars that would provide for the extension permanently of the marriage penalty is political. It is not fair.

The marriage penalty is discriminatory to working women. Right now, the Tax Code creates a disincentive for women to earn above a very low threshold. Women who make a salary that is on a par with their husbands are taxed in an extraordinary way, and the reason is that their additional salary upon marriage moves in to combine and thrust the young couple into a higher marginal rate. It is not a problem if there is a single wage earner, but in today's society we see 70 percent of young women, women with young children, in the workforce, so it has become increasingly a more and more common problem for all young people.

According to conservative estimates, 36 million American couples right now are paying, on average, \$1,700 more per year in taxes because they are married. In my district alone in the State of Washington, about 73,000 couples are adversely affected by the marriage penalty. This is wrong and we need to change it.

□ 1130

As newlyweds start out in their new life together, they should not face a punishing tax bill. I urge my colleagues to help young couples to put them on the road to success, to establish in their lives full usage of the American dream, to support the Permanent Marriage Penalty Relief Act that takes place in 2011, takes away all that discrimination against the marriage of two young people, both of whom are in the working world.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Wash-

ington (Mr. McDERMOTT), a distinguished member of the Committee on Ways and Means.

Mr. McDERMOTT. Mr. Speaker, I am glad to see my amendment from 1995 suddenly appeared out here. When Newt Gingrich took over this place, there was a Contract on America. This was in it then, 1995. I proposed it in the Committee on Ways and Means, and every single Republican voted against it.

Now we have a new day, and now we have all this money, or we did have all this money. We thought we had all this money. We set up a straw man. Last year we passed a bill that said, people are going to get this benefit, but then we get this and it is not permanent, so they voted last year for it; and now they come out here and they say, oh, oh, it is not permanent. Let us make it permanent, in the midst of fiscal chaos.

Republicans ought to be ashamed of themselves. All the times I heard people standing out here telling me about those liberals just spend and spend and spend, well, I am watching the Republicans just spend and spend and spend, but not on things people care about.

The drug benefit is gone. There is not going to be any drug benefit worth anything at all. On Medicare, people in my district cannot get a doctor to accept a Medicare patient. But no, no, we have to add this marriage tax penalty out here. That is what is going to save America.

This election is going to be a test of whether Americans can be fooled all the time by the folks that say, we are cutting your taxes and it will not hurt, and you are not going to notice it. They may get a couple of bucks back, but if one's mother has to pay for her drugs and she is living on a Social Security benefit like mine is, 92 years old, \$8,000 a year, who do Members think pays for her drugs? Do Members think she can pay for it? Of course she cannot, so her sons and her daughter are going to pay for it.

They have, of course, this tax benefit, now that they are married. Let us see, there are two of us that are married and two are not. Two are paying the penalty and two are not. We are going to use our penalty that we get back, and we are going to go down and pay for my mother's drugs.

The old people in this country would rather have the security of knowing they had a pharmaceutical benefit under Social Security. They would also like to know, and the children would like to know, that there is going to be a Social Security out there in 20 years. But they gave it all away. They gave it all away.

Last week it was estate tax, and this week they have a new one: this is the marriage tax day. Next week, it will be retirement benefits. Do Members want me to predict every week? Because we are about to go home. In about 3 hours we will all be on planes, and everybody has to get their press release out before they get back to the district. So they



send out, today I voted for removing the tax penalty on marriage. They then go home and bask in the warmth of that kind of baloney.

When are they going to be honest with people that they have to pay for stuff? When are they going to be honest with them? Vote "no."

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I note the gentleman from Washington (Mr. McDERMOTT) has been consistent in voting in opposition to eliminating the marriage tax penalty on this House floor, even though there are 53,387 working couples who suffer the marriage tax penalty in his Washington district.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), a leader in the effort to eliminate the marriage tax penalty.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the gentleman from Illinois, for yielding time to me.

I thank my friend, the gentleman from Washington (Mr. McDERMOTT) for a very curious revisionist history policy. I am always happy to hear differences of opinion that, indeed, do exist.

Indeed, when I was in private life, I noted with interest Congresses long before I got here that had no compulsion whatsoever about dipping into Social Security and spending money that was not here, and spending and spending and spending. My friend chooses to lampoon that, but that, in essence, was the fact. As our second President, John Adams, told us, facts are stubborn things.

The fact about this bill on the floor today is that we are acting prospectively, within the rules of the House, within the rules of revenue as they exist today. Would that we could change those rules. Would that we could point out to the American people an economic fact, which is when people have more of their own money to save, spend, and invest, revenues to the government actually increase.

Would that our friends on the left would take that into account. But instead, they would rather talk about so many subjects under the sun, and electioneering, rather than the fact that if we fail to act today, if we fail to make this relief permanent, due not to a situation of our own making but another body in close proximity with an arcane rule that failed to allow us to make this permanent, we will be, in essence, putting a tax back on the backs of the American people in the year 2011.

I listened with interest as my friend, the gentleman from Washington (Mr. McDERMOTT), readily dismissed the value of \$1,000. I believe the average, once this is fully implemented, the average will be about \$1,400 per married couple. Again, I guess this reflects a difference in our philosophy. I know it is easily lampooned, or perhaps, from time to time, we get jaundiced about the fact, and we talk about trillions and billions of dollars. But in a very

real way, \$1,400 is real money to a married couple with a family.

As for the other subjects addressed, I would encourage my friends to stay tuned. We are going to work to bring forth a prescription drug benefit as part of Medicare in the days ahead. We welcome the chance to work together, but perhaps it is just a difference in opinion on the whole notion of taxation. For some in this Chamber, there is no higher and better use of people's money than in the coffers of the Federal Government. That is an opinion that Members will defend by a multitude of different methods.

For others of us, there is a notion that if people hang onto their own money and save, spend, and invest it, revenues to the Federal Government will increase and we will be able to take care of that, but we will be truer to the American people from this sense: the money that is spent here does not belong to Washington; it belongs to the American people.

With this legislation today, setting up permanency and neutrality in the Tax Code so that married couples are not penalized, the American people will be better off; American families will be better off. I ask my colleagues to join us in support of this measure.

Mr. MATSUI. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I might just point out that when Ronald Reagan was President from 1981 to 1988, and George Bush, the first George Bush, was President from 1988 to 1992, they dipped into the Social Security trust fund; but it was not anywhere near what we are talking about now.

What we are really talking about now is, on the 10-year projections under current spending and tax policy, we are going to dip into Social Security by the sum of \$1.7 trillion. If we do the estate tax, which the Republicans want to extend, defense authorization, the farm bill, which has been completed, it will add \$3.2 trillion in terms of dipping into the Social Security trust fund.

We are going to break the bank for our senior citizens when it comes to the retirement benefits that they expect to get. The police officers, the firefighters that are paying payroll taxes right into that trust fund right now, they do not realize that it is going out in the form of estate tax payments, in the form of farm support payments, in the form of so-called marriage penalty.

I have to say that I find it inexplicable today that we are spending 3 hours today on this issue. I have to say that here at a time when Stanley Works in Connecticut, Ohio, is attempting to move offshore into Bermuda to save \$30 million in taxes, when Neighbors Industries is talking about voting to go offshore into Bermuda to save millions of dollars in taxes, we are messing around with something that will not take effect until 2011.

Does this not say something about the priorities and the values that we

have here? I think the reason that is the case, if I might just say, is an article that was written on May 26 in The Washington Post, it was a Sunday Washington Post story by Kevin Phillips, who devised the Republican plan, the southern Republican plan for President Nixon back in 1967, he says in this article, and it really is interesting:

The Republican House Ways and Means Committee has become a virtual arm of the Washington lobbying community, routinely arranging legislative favors that would make a madame blush.

The President and his family have dynastically involved themselves with the rise of Enron Corporation as an inconvenient symbol of the recent excesses.

That is what is going on. We should be dealing with tax shelters, some of these things that Americans really care about. Instead, we are talking about some tax law that may or may not come into effect in 2011, and tap into the Social Security trust fund. This is an absolutely outrageous act we are committing today.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

I would note that the gentleman from California (Mr. MATSUI) has been a consistent "no" vote on eliminating the marriage tax penalty. I respect his arguments in respect to opposition to the marriage tax penalty.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, just so everyone here understands that this is probably one of the grossest forms of politics that is being engaged in, the gentleman from California just took to his feet and indicated that we should be spending our time on other factors. He mentioned, for example, the question of inversions.

I just want all of the Members here to know that 1 week ago today, the Committee on Ways and Means held a hearing on inversions. Is it not ironic that it was the gentleman from California (Mr. MATSUI) who moved that the committee adjourn before the panel of experts was heard, before the Members had a chance to respond to questions?

So here he is, complaining that we are not looking at inversions, when he was the one that moved to adjourn the committee. Now, that is politics.

Mr. MATSUI. Mr. Speaker, I yield myself 1 minute.

I just wanted to respond to the chairman of the Committee on Ways and Means. I have to say the reason we asked that the meeting be adjourned, but the chairman did grant us, is because the drafter of the legislation that would have dealt with the problem of Stanley Works in Connecticut was the gentleman from Connecticut (Mr. MALONEY). He was not allowed to testify. He was not allowed to testify on his own bill with his own level of expertise.

We just thought that it was discourteous for the other side of the aisle,

particularly the chairman, not to allow the gentleman who drafted the bill, who could testify with the level of expertise on this issue, to testify. That was the issue itself.

If the gentleman could explain why he did not allow the gentleman from Connecticut (Mr. MALONEY) to testify, we would like to know it. He never did explain why the gentleman from Connecticut (Mr. MALONEY), a member of the House of Representatives, was denied the opportunity to testify.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, let me thank the gentleman for yielding time to me.

I would also respond to the chairman. I happen to be a member of the Committee on Ways and Means. One of the reasons we had to adjourn last week is because at the same time we had this hearing in one of the buildings across the street, the House was debating a very important piece of legislation from the same committee. That was a permanent repeal of the inheritance tax.

Members remember the inheritance tax. That is where 2 percent of the public pays something when their estates are probated. It is for the very, very wealthy. Well, as I indicated to the chairman at the committee, and he is pretty powerful, but even though he has all his power, he cannot be in two places at once. So the committee chose to come to the House floor and debate that policy. That is what the debate was all about.

But let us talk about the bill that is before us today. Through the miracle of C-SPAN, hundreds of thousands of people are watching their House of Representatives. We have hundreds of people in the gallery, Mr. Chairman, watching what we are doing.

They are going to go home and the neighbors are going to say, Wow, you went to Washington. What did you see? Oh, I saw the Smithsonian, I saw the Vietnam Veterans Memorial, and we had the honor of going to the House floor and listening to the debate.

And the neighbors are going to say, what did you hear? Well, they were debating a bill that would address a problem that might or might not occur in 2011. The neighbors will say, hot damn, really? 2011?

□ 1145

Well, that is 9 years from now. Yes, they took it up today. Had to be done right away. Well, the question is why? I will tell you why. There is one big event between today and January 2011, and you know what it is. It is November 2002 elections. It is the elections. So we are gathered here today to promote our elections. And how about addressing the work and the needs of the people?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will suspend.

Members are reminded to not address their comments to the viewing audience or the gallery.

Mr. KLECZKA. Mr. Speaker, I am addressing them through you.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KLECZKA. Mr. Speaker, what I was trying to say, and I am assuming what this neighbor will also say is, well, what did you hear about the deficit? Because last year I recall reading a newspaper. We are going to have surpluses for as far as the eye can see. What did they say about the \$300 billion deficit of this year? And you are going to have to say back to them, nothing. They did not bring it up.

Well, how about a drug program that our seniors are in dire need of, where in my State hundreds and thousands of seniors want Congress to act? No, they did not address that. They are talking about this bill that might be a problem in 2011.

Mr. Speaker, let us separate the wheat from the chaff. What we are doing today is nothing but politics to benefit some of the Members of this House in November of 2002. Clear and simple, that is what it is all about. And the gentleman will say, well, the gentleman from Wisconsin (Mr. KLECZKA) voted against a marriage penalty consistently and 200,000 of his constituents will not get the relief.

The fact of the matter is, and you heard the gentleman from the State of Washington (Mr. McDERMOTT), he and I have been on this program to eliminate the marriage penalty since 1995, so I am glad the Republicans are joining us.

But nevertheless, the fact of the matter is there are hundreds of thousands of people in my district who want a drug benefit today, who want us to address the war on terrorism and provide money for that. And they also want us to address the \$300 billion deficit. So I encourage my colleagues to talk about those issues today so when your neighbors ask you what they did, they did not think about some problem that might occur in 2011.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before recognizing the chairman for an additional minute, I will note that the gentleman from Wisconsin (Mr. KLECZKA) is right. He has consistently voted no on the House floor in opposition to eliminating the marriage tax penalty even though there are 133,000 constituents who suffer the marriage tax penalty in his district.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS).

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, I do not know about separating the wheat from the chaff, but I do think we ought to separate the bull from the waste.

Notice that when we come to the floor to argue the issue in front of us,

they always want to argue a different issue. One week ago today the elimination of the estate tax was on the floor. They did not like us voting on it. The RECORD shows it passed. Today the marriage penalty will pass. Next week we will be introducing legislation to deal with prescription drugs. But about this Maloney baloney, understand this, we have had 17 full committee hearings and only once did we have a member panel. It is not the ordinary and customary thing that we do. That is baloney. We have had subcommittee hearings. We have had 68 subcommittee hearings and we have had 60 members testify at those subcommittee hearings. We are having a subcommittee hearing on inversions. We have invited the gentleman from Connecticut (Mr. MALONEY). Let us see if he comes, as all the other Members have come to the subcommittee.

The reason they wanted to disrupt the hearing was because they want to try to make a political point. The Maloney business is baloney.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, we continue on what I call the fiscal irresponsibility rampage that the majority party is on. I want to say at the outset to my friend, the gentleman from Illinois (Mr. WELLER), I do not know what the exact numbers are, but let me tell the gentleman something, 100 percent of the people who live in my district will be adversely affected by the interest rates that he will drive up by his race towards deeper and deeper and deeper deficits. That is what will happen to everybody in his fiscal irresponsibility rampage that this committee is on and the Congress is pursuing.

It is popular, of course, to get up here week after week and vote for tax cuts. Of course. It is easy. It is also irresponsible. As we have \$314 billion in debt this year facing us and trillions of dollars in the years ahead, is it responsible fiscal leadership? It is absolutely not. Not with the record surpluses turning into deficits in less than one year of this administration. Not with the Federal Government expected to run a budget deficit of more than \$300 billion spending 100 percent of the Social Security surpluses; not with a House majority violating its repeated pledge not to raid the Social Security surpluses; and not with the Treasury Department's practically begging Congress to raise the debt limit before June 28, which they have refused to do.

Do Democrats support marriage penalty relief? Of course we do. It is the fair and right thing to do. But why this bill and why now? There is only 2 weeks left before the 4th of July break and we have not considered one of the 13 must-pass appropriations bills.

Furthermore, fully 70 percent of the marriage penalty provisions of this GOP bill will not take effect until 2006 and most till 2011, as the previous speaker said.

Is this legislation more important than defense? Is it more important than homeland security? Is it more important than prescription drugs and a host of other pressing issues so we can affect 2011? I think any commonsense response to that is, of course it is not.

The truth is this bill will cost more than \$63 billion over the next decade. And every last cent, every last cent of that \$63 billion comes out of the Social Security surplus. Worse yet, in the second decade of this century, when the baby boomers begin to retire in full force, the cost of this bill is estimated to be \$330 billion out of Social Security revenues. The bill is nothing but an exercise in demagoguery. I urge the Members to vote no, to vote yes on the substitute, vote no on the bill.

#### PARLIAMENTARY INQUIRY

Mr. MATSUI. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MATSUI. Mr. Speaker, regrettably I would prefer not to do this, but, on the other hand, I think it is very critical in terms of our decorum in this institution. The speaker before the gentleman from Maryland (Mr. HOYER) made reference to a colleague of ours in what I believe to be a derogatory fashion, particularly right at the end of his remarks. I wonder if the remarks were an inappropriate violation of any rules in the House. I realize this may not be a timely request, but I think it is important we do put on the record the ruling of the Speaker, had it been a timely request.

The SPEAKER pro tempore. The Chair would affirm that remarks in debate should not descend to personalities.

Mr. WELLER. Mr. Speaker, as we debate whether or not to impose a \$42 billion tax increase on 36 million couples, I was wondering how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) has 9 minutes remaining. The gentleman from California (Mr. THOMAS) has 8½ minutes remaining.

Mr. WELLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. SAM JOHNSON).

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I cannot believe some of the things being said here today. The other side keeps saying they support marriage penalty relief and yet they do not vote for it.

I rise today in support of marriage. Marriage is a cornerstone of a strong family. There are many influences in today's culture that undermine marriages and there are a lot of those influences we cannot do anything about. But one thing we can keep trying to do is fix the Tax Code, and with the Senate's help, we can do that.

The tax cuts we have passed last year remove many of the worst part of the

marriage penalty. We have doubled the standards deductions for marriage couples; we expanded the 15 percent tax bracket to twice the income of single people; but this marriage penalty relief is only temporary. Why? Because of an arcane Senate rule that prevented permanent tax cuts. That is not, is not it. Should we not help make marriages permanent, not temporary? Instead of this tax relief lasting through the diamond anniversaries of weddings, marriage penalty relief will sunset on the aluminum anniversary of this bill.

In 2011, when the sunset of tax relief takes place, countless couples will face higher tax bills simply because they said I do. And you know what, that is just plain wrong. We need to fix that in this Congress.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the State of New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, now I have really heard it all, that there is an intricate relationship between marriage repeal and keeping marriage permanent. You are darn right. There is a question of values. You are darn right.

Last week I got up here and urged my colleagues to vote against the ill-thought-out repeal of the sunset on the estate tax. Here we are again. Besides being a colossal waste of time, these piecemeal votes to reveal bits and pieces of tax cuts that you have proposed reveal the deceit behind the administration's initial cost estimate.

According to the official estimate from the Joint Committee on Taxation, certainly no left-leaning group, no agency from the far left, no Democratic agency, today's bill would cost about \$25 billion in 2012. If that does sound ridiculous, it really is. It really is ridiculous, that we even put a budget together 10 years is ridiculous, and the American people know it is ridiculous. We cannot even project what is going to happen 10 months from now, let alone 10 years from now.

Nearly two-thirds of the result of the provision of this bill, an expansion of the 15 percent rate bracket, that only benefits higher income couples. In the 10-year period, this is going to cost \$330 billion. If the cost of increased interest payments is added, it is going to rise to \$460 billion.

That is why I support the substitute. I think it is a critical substitute. I think it is an important substitute. What it does is it triggers, it triggers, if we cannot protect Social Security when it will not go into effect. You have made this card again a credit card for the Federal Government. And I say you are wrong in doing it and you need to put everything on the table. You cannot look at this in bits and pieces. This is wrong-sided legislation; and you are taking away the very foundation of our society, Social Security.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before recognizing our next distinguished speaker here, I

would note that the gentleman from New Jersey (Mr. PASCRELL) consistently voted no on eliminating the marriage tax penalty and what he considers a cost to Uncle Sam, to the Treasury, is actually higher taxes on working married couples. That is what this is all about, making permanent eliminating the marriage penalty.

Mr. PASCRELL. Mr. Speaker, would the gentleman yield?

Mr. WELLER. On your time.

Mr. PASCRELL. I voted for the substitute, so it is not a clear record.

The SPEAKER pro tempore. The gentleman is not recognized and I would appreciate it if the Members in the Chamber are recognized by the Chair before they take the microphone.

#### PARLIAMENTARY INQUIRY

Mr. MATSUI. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MATSUI. Mr. Speaker, I would have to imagine there must be some rules in mischaracterizing a colleague's voting record or a colleague's vote; and clearly there was because the Democratic substitute which the previous speaker voted for did have a marriage penalty tax relief package in it. It just had a pay-for in it. I would have to believe there is some rule in mischaracterizing a Member's position or vote, and I would like a ruling from the Chair on that.

□ 1200

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would advise the Member that if a Member feels his record is not being reflected accurately, he may debate that on the floor, and the Chair would also appreciate it if Members would not grab the microphone and speak when they are not recognized.

Mr. MATSUI. Mr. Speaker, I think that is understandable.

Mr. Speaker, further parliamentary inquiry, but I have to say, Members need to protect themselves when distortions are given.

The SPEAKER pro tempore. The Chair would advise that Members may engage in debate to correct the record.

The gentleman from Illinois (Mr. WELLER) is recognized.

Mr. WELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, it is tough to come down here in the caldron of the Ways and Means. I have good friends on both sides and I appreciate their diligence, but we have been lobbied on this legislation, and we have been lobbied by married families that have been asking for a simple solution, some legal certainty.

One of the things that frustrates me the most about this place as an institution is we do things sporadically every year, and we do not provide any certainty or we do not finish the job on

legislation. The perfect example is the tax cut bill, because of the rules of the other body, having to sunset key components of the Tax Code.

The death tax is one of them. I do not personally believe that government ought to redistribute wealth, and I think that is supported by the folks in my district. I think other people disagree, but that is what that does, is a redistribution of wealth; and it hurts people who want to get ahead. It destroys family farms and small businesses. This penalizes people for being married, and there is no certainty that this bill will maintain after 10 years.

I just want to boil it down to the simple aspects, and I know there are other issues that we are all involved in, and I appreciate those, but I want to be able to go home and tell married couples that Uncle Sam does not take more money out of their check just because they are married. That is all I want to do, and I want to provide families some certainty that if they get married now or they get married 5 years from now or they get married 11 years from now or get married 12 years from now, Uncle Sam will not take more tax from them because they are married, and that is the simple premise.

A person should not get penalized for saying, "I do," and the chart states it. It may not be involved in all the other issues, but I ask support of the Republican bill.

Mr. MATSUI. Mr. Speaker, I yield 3½ minutes to the distinguish gentleman from Florida (Mrs. THURMAN), a member of the Committee on Ways and Means.

Mrs. THURMAN. Mr. Speaker, I appreciate the gentleman yielding me the time, and I thank him for his leadership, and I kind of want to go on some of what I have heard here this morning from the gentleman from Wisconsin, because I do think that this is about politics.

I went home last week, and the first thing I was called upon to talk about was the repeal of the death tax. Somebody sent out a press release saying that I voted against the repeal of the death tax, and I did. What they failed to mention is that I did vote and offer the substitute to reform the death tax, that little thing that said 3 million per person, 6 million per couple, taking care of 99.7 percent of the public and of those that would have to pay the estate tax.

So my guess is, and I will correct the record so when the gentleman from Illinois (Mr. WELLER) gets up and says whatever he is going to say, whether I voted or did not vote, I am sure that today when I go home, that there will probably be another press release, and that press release will say, KAREN THURMAN voted against the permanent repeal of the marriage tax penalty. I will get the phone call from the press, and I will have to say to them, well, yes, I did, but the fact of the matter is, we did have an alternative last year

and again this year, and I was only trying to follow the rules that were put into place in Congress before I got here, because of the problems of deficits, when we did tax cuts, when we did spend the dollars and raise the deficits in this country, and that was something called pay-as-you-go.

I think the American people remember pay-as-you-go. Guess what? In the substitute, we would have been given an opportunity to pay for this marriage tax penalty, but instead, we are going to go into Social Security.

Is it not interesting that last night on this floor, in instructions to the conferees on the energy bill, what was the instruction? That we would not dip into Social Security. It passed. It passed. Yet, today, we come to the floor, with a marriage tax penalty, a \$300 billion deficit and guess what we find. We know that this will go into the Social Security/Medicare trust funds at the time that we will have the largest retirement happen.

I went back to my office, and I got the statistics in my district. There are 158,000 seniors 65 years and older that depend on Medicare, that depend on Social Security. They want a prescription drug benefit and guess what? My parents, those people that the gentleman is talking about, they want reduced classroom sizes. In my colleagues' budget, they knock it out. They want books for their children so they can help them with their homework. They want responsible tax relief.

I think that if we were being honest with the American public, we could have had responsible tax relief for this country; but we are not doing that, and last night the Senate did not even give my colleagues the tax relief for their small businesses.

Mr. WELLER. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) has 5 minutes remaining. The gentleman from California (Mr. MATSUI) has 3 minutes remaining.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman from Florida is correct. I am not going to draw attention to her past opposition to eliminating the marriage tax penalty, but I would note that there are almost 84,000 married individual taxpayers in her district that do suffer the marriage tax penalty.

Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Nevada (Mr. GIBBONS), the distinguished leader in the fight to eliminate the marriage tax penalty.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for yielding me the time.

I have heard these arguments on the floor, and let me say to my colleagues in the room, that is absolutely not a waste of time. When my fellow Nevadans elected me to come to Congress, they entrusted me with a great responsibility of keeping their families safe,

their economy strong, and their taxes low; and by supporting this bill, by passing the Permanent Marriage Penalty Relief Act, we are going to fulfill those obligations.

In making the elimination of the marriage penalty tax permanent, we will provide married couples across the Nation peace of mind to plan for their financial security for years to come. After all, why would we want our hard-working families to begin receiving additional financial security through this important tax relief only to turn around and strip them, as the Democrats would like to do, 10 years from the date and add to their tax burden.

Mr. Speaker, the House of Representatives will once again show the American people that we are caring about the American family and that we are here taking care of the business that we were elected to do, and last year when the President signed the historic tax cut package into law, the people of Nevada knew that they would finally begin to be keeping more of their own money after having paid into the government more than it needed to operate; and by passing last year's tax relief package, Congress put hard-earned dollars back into the pockets of 76,304 deserving married couples in Nevada's Second Congressional District alone, and Statewide nearly 150,000 Nevada couples sought relief from the onerous marriage penalty tax.

If we fail to pass this bill today, we will be increasing their taxes.

Mr. MATSUI. Mr. Speaker, may I inquire of the gentleman how many other speakers he might have.

Mr. WELLER. Mr. Speaker, we have one, maybe two more.

Mr. MATSUI. Mr. Speaker, I reserve the balance of my time.

Mr. WELLER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER), who has been a distinguished leader in the effort to eliminate the marriage tax penalty.

Mr. HERGER. Mr. Speaker, failure to pass this bill will raise taxes on low- and middle-income taxpayers by \$42 billion by 2007.

Mr. Speaker, when a couple stands at the altar and says "I do," they are not agreeing to higher taxes; yet without relief from the marriage penalty, 36 million American couples will pay higher taxes simply because they are married.

Let us be clear. It is just plain wrong to tax marriage. Unfortunately, the marriage penalty relief passed last year will expire at the end of 2010 due to arcane Senate budget rules. The legislation before us today makes this relief permanent. If we fail to enact this legislation, married couples will face a massive tax increase of \$42 billion just in the year 2011 and 2012. We simply cannot allow this to happen.

Under the leadership of President Bush, last year's tax bill provided married couples with significant tax relief by making sure that the standard deduction for a couple is twice that of a

single taxpayer. And by allowing married couples to earn more of their income in the lower 15 percent tax bracket, making sure that our Tax Code does not discourage marriage is not just good tax policy for the next few years, it is good tax policy, period. Now is the time to make tax relief for hard-working married couples permanent. I urge my colleagues to support this very important legislation.

The SPEAKER pro tempore. The gentleman from California (Mr. MATSUI) has 3 minutes remaining, and the gentleman from Illinois (Mr. WELLER) has the right to close.

Mr. MATSUI. I would imagine there are no other speakers except the gentleman from Illinois.

The SPEAKER pro tempore. The gentleman from Illinois has 1½ minutes remaining.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have to say I really do not understand why we are here today debating this issue. We should be taking up prescription drugs. We should perhaps even take up the President's three proposals that his Social Security Commission has come up with, because obviously we want to debate the whole issue of whether or not Social Security should be privatized or partially privatized.

The gentleman from Texas (Mr. ARMEY) has a piece of legislation on Social Security that privatizes the entire Social Security system over a period of years. We should be debating that issue now. The gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security of the Committee on Ways and Means, has a privatization of Social Security bill. We should be discussing that.

If not those things, which are very important to the American public, at least we should be discussing why at a time of war we are allowing U.S. corporations like Stanley Corporation to go offshore and save \$30 million in taxes because now they have become not a U.S. corporation but a foreign corporation in Bermuda; and we all know that all they are going to do is just open up a post office box, a mailbox perhaps, and then be able to save \$30 million in taxes. And this is not going to help their employees. This is going to go into the pockets of the owners.

So why not debate these issues? Unfortunately, Mr. Speaker, what is happening here is the fact that my colleagues want a political issue, I think as the gentlewoman from Florida (Mrs. THURMAN) mentioned, I think as the gentleman from Wisconsin (Mr. KLECZKA) mentioned, as a number of Members on our side of the aisle mentioned; and I have to say that this is really a strange debate because I hear my colleagues on the other side of the aisle talk about all of the savings for the American public, and there are three components, and perhaps people do not know this, of the marriage penalty relief.

One is doubling the standard deductions for couples; doubling the 15 percent bracket for couples; and then the other is the earned income tax credit, which is not really a marriage penalty issue. The only one that is currently in effect is the earned income tax credit. The doubling of the 15 percent tax bracket does not take effect until the year 2005, and of course the doubling of the standard deduction for couples does not take effect until 2005, 3 years from now.

So we are worried about extending these credits, and they have not even taken effect yet. So the irony of this is that we are debating something that is really not real. It is an illusion. It is a falsehood. It does not make any sense. And the real tragedy, however, is in spite of all these games, if in fact it did take effect, if in fact it did take effect in the year 2011, you would have a drain on the Social Security trust fund of \$457 billion. Essentially, Mr. Speaker, this is a bill that should be defeated. We have a substitute we are going to offer that addresses these issues to preserve the Social Security trust fund. I urge a "no" on final passage.

The SPEAKER pro tempore. The gentleman from Illinois has 1½ minutes remaining.

Mr. WELLER. Mr. Speaker, I yield myself the remaining time.

Ladies and gentlemen, let us get back to why we are here. We have heard a lot of rhetoric from the other side, basically all the excuses that have been previously used on why we should not eliminate the marriage tax penalty previously.

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It has always been let us do it another time. There is something in Washington that we need to spend it on. Let us get back to why we need to make permanent the elimination of the marriage tax penalty.

Let me give an example of a couple in Joliet, Illinois, who suffered the marriage tax penalty. A working couple from Joliet, Jose and Magdalene Castillo. They are both in the workforce, a son Eduardo, a daughter, Carolina. They have a combined income of \$82,000; and prior to the Bush tax cut being signed into law last year, which included our efforts to eliminate the marriage tax penalty, the Castillo family in Joliet, Illinois suffered an \$1,125 marriage tax penalty.

As we can see from the rhetoric today, there are those on the other side of the aisle who would much rather spend the Castillos' hard-earned income, their \$1,125 marriage penalty, here in Washington.

What we are asking the House to do today is to make permanent the elimination of the marriage tax penalty because if we fail to make permanent the elimination of the marriage tax penalty, couples such as Jose and Magdalene Castillo will see an \$1,125 increase in taxes because their marriage

tax penalty will be restored. If we add that together with the other 36 million married working couples who have suffered the marriage tax penalty, it is a \$42 billion tax increase. That is the question today. Do we increase taxes by \$42 billion on 36 million married working couples, or do we make permanent our efforts to eliminate the marriage tax penalty. Let us vote in a bipartisan way, and make elimination of the marriage tax penalty permanent.

Ms. KILPATRICK. Mr. Speaker, I rise today in opposition to H.R. 4019. I am not against repealing the marriage tax, but I am strongly opposed to H.R. 4019 for two reasons: the funding source of the bill and the timing of its floor consideration.

First and foremost, the surplus that was promised to the American people last year by President Bush is gone, only to be substituted by the serious and foreseeable signs of a budget deficit in the near future. Currently, there is an estimated budget deficit of about \$200 billion—a drastic change from the surplus that was promised last year. Consequently, the safety net that was to guarantee Social Security and Medicare funding for our baby boomers in the next decade is becoming more of a wavering hope, instead of a secured promise.

The estimated revenue cost of H.R. 4019 will be over \$25 billion per year after 2011, essentially, costing over \$330 billion in the next decade. Coupled with the approximate \$200 billion budget deficit this year, the future saving for our Social Security is looking dim. Repealing the marriage tax is a good gesture, but it definitely should not supersede the future of Social Security for our baby boomers.

Second, the timing of the floor consideration for this tax penalty is unreasonable and unnecessary considering that none of the marriage penalty tax breaks will fully phase-in until 2011. Why are we considering such an issue that will cost so much in the future but has no effect on Americans today, tomorrow or four years from now? We are not sure of what the fiscal situation of the federal government will be in the next decade, but we are cognizant of the responsibilities we have towards the American people and their retirement benefits. This is true fiscal irresponsibility to bring this bill to the floor today and reeks of election year policy-making for Republican back patting. For those reasons, Mr. Speaker, I am opposed to the passage of H.R. 4019.

I am in favor of the Democratic substitute, which is offered by my esteemed colleague, Rep. MATSUI. The substitute offers a permanent repeal of the marriage tax. However, the repeal will be initiated in 2011 only if there will be another source of funding besides the Social Security surplus. That essentially means that we should be out of budget deficit before the marriage tax is repealed.

The substitute and H.R. 4019 are very similar in that they both repeal the marriage tax in 2011. The only difference is that the substitute takes into consideration the baby boomers that will be in need of Social Security and Medicare in the next decade. Those individuals should not lose out on their benefits because of a political gesture by the House leadership during the election year of 2002. This is not just fiscal irresponsibility; it is fiscal insincerity as we have told baby boomers that they will have their retirement needs met when the

time arrives. Democrats are committed to keeping our word to the American people, so I cannot vote on a bill that will void the promise of surplus for these working Americans. Therefore, I am opposed to H.R. 4019 and in favor of the substitute.

Ms. BALDWIN. Mr. Speaker, it was one year ago that this House was considering the merits of President Bush's \$1.6 trillion tax cut proposal. The House Leadership claimed that the sky was the limit for our budget surplus and that the ten-year projections would just continue to grow, and grow, and grow. At the time of the debate, I too, offered support for tax relief, but with the caveat that it should go to those who need it most—hardworking American families—and that it should not curtail our ability to fund our nation's priorities or hinder our ability to address unforeseen events. I believed Congress had a duty to be fiscally responsible and move slow on tax cutting measures to make certain the projections came true. After all, it is virtually impossible to tell what our federal budget will look like one year from now—let alone ten.

Sadly, the concerns I raised a year ago were warranted. Our \$5.6 trillion surplus has virtually vanished, and once again, we face large federal budget deficits. While the events on September 11 and the sluggish economy played a role in slicing the surplus, there is no doubt that the large Republican tax cut was the main culprit. It is evident that the priorities I talked about at the time will be much more difficult to address: it will be hard to shore up Social Security for the soon-to-be retiring baby boomers; it will be very difficult to pay down our national debt; it will be an enormous challenge to provide a prescription drug benefit under Medicare; it will be a real struggle to fund the growing needs of our educational system.

With the new budget concerns and all of the problems that Congress has failed to fix, I found it irresponsible of the House to devote more time and energy considering H.R. 4019, or the Marriage Penalty Relief Act. This bill would permanently extend marriage penalty relief past the 2010 sunset date. Moreover, the cost of this bill would total about \$330 billion in the ten-year period from 2013–2022—at a time when the nation's budgetary demands will increase because of the retirement of the baby boomers.

I support the Matsui Substitute on Marriage Penalty Relief. This bill would permanently extend marriage penalty relief, but goes a necessary step further that adds a much-needed trigger mechanism to impose financial discipline: the repeal will only go forward if the Director of the Office of Management and Budget (OMB) certifies that permanent repeal will not result in a raid on the Social Security trust fund over the following ten year period. If, on the other hand, OMB determines the repeal will require a raid on the trust fund, the repeal would be put on hold.

In the past, I have supported legislation that would fix the marriage penalty; it's a serious problem for thousands of married couples in Wisconsin and throughout America. However, I find myself hearing the same arguments the House Leadership made last year: that permanently extending marriage penalty relief will not take money away from the Social Security Trust Fund, will not debilitate our ability to meet our priorities, and will not limit our ability to meet unforeseen challenges head on. I re-

spectfully disagree with this argument—again—and believe that we should address the permanent extension of the Marriage Penalty Relief Act years from now when we have a clearer picture of what our budgetary challenges and what national challenges are.

Mr. FRELINGHUYSEN. Mr. Speaker, today I rise in support of H.R. 4019, to make the good work we did in bringing relief from the Marriage Penalty Tax to 21 million married Americans last year, permanent.

As I travel across New Jersey's 11th Congressional District, I am constantly reminded of the need for prompt tax relief. I hear it when I get my coffee and paper in the morning, at my local barbershop, at any one of my week-end town meetings, and at the pancake breakfasts I attend on Sunday mornings. Americans scored a major victory last year when Congress and President Bush addressed one of the most unjust provisions of the tax code by reducing the Marriage Penalty Tax. We increased the basic deduction from \$7,350 to \$8,800 for married couples, and nearly one million married couples across New Jersey, and closer to home, 72,000 married couples in my Congressional District, have benefited from our good work to provide relief from the Marriage Penalty Tax.

Unfortunately, these provisions are scheduled to expire at the end of 2010, because of a "sunset" provision that was included in the Economic Growth and Tax Relief Reconciliation Act. If H.R. 4019 is not enacted, then beginning in 2011, the standard deduction for married couples will be reduced, forcing 21 million married couples to pay more taxes. The Marriage Penalty Tax is inherently unfair. The Federal Government should not force working couples, through an unfair, archaic Tax Code, to pay higher taxes simply because they choose to be married. The Marriage Penalty Tax weakens the foundation of one of society's most sacred institutions: marriage. We cannot turn back the clock after making such great strides in providing this sensible, meaningful tax relief, and in the year 2011, force working couples to pay higher taxes simply because they choose to be married.

So today, I urge my colleagues to build on our ongoing efforts to provide tax relief for all hard working Americans. Let's pass Marriage Penalty Tax relief for the millions of working couples who should not be penalized by the IRS just because they are married.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 4019, a bill to permanently repeal the marriage tax penalty.

Last year, the President promised we could have it all. He argued that the projected \$5.6 trillion surplus was enough for a large tax cut, an increase in education spending, and a decent Medicare prescription drug benefit. It's no surprise to those of us who voted against his tax plan that such grandiose promises have proven wrong. Now, one year later, instead of large projected surpluses, our budget is in deficit. Republicans now say that we don't have the funds to implement last year's No Child Left Behind education bill. Republicans refuse to propose a Medicare prescription drug benefit worthy of America's seniors. But, they are perfectly willing to continue spending trillions of dollars on new tax cuts for the wealthy. When is the Republican leadership going to stop playing games with our priorities?

The bill before us today will not take effect until 2011. At that point, it will cost over \$25

billion per year. Over the following decade, it will cost over a quarter of a trillion dollars. This is at the same time when the retirement of the baby boom generation will begin putting enormous strains on Social Security and Medicare.

The Republicans have already shown they're content to lead us into fiscal crisis today. This bill continues to make clear that they want us in financial crisis in the next decade as well. This doesn't have to be the case. I support the responsible and fiscally sound approach to marriage penalty relief being offered by my fellow Democrats. Our bill makes the marriage tax penalty fix permanent. But, our bill simply adds a protection for Social Security. It says if we don't have the money in future budgets to enact responsible tax cuts, we have the option to put them on hold. The Republican's bill leaves the door open for future invasions of the Social Security Trust Fund to pay for forced tax cuts.

We ought to be debating a prescription drug benefit and saving Social Security for future generations. Instead, we are forced week after week to vote on yet another Republican tax bill that favors their wealthy contributors.

I urge my colleagues to vote no on the fiscally-flawed Republican Marriage Penalty Relief Act and support the fiscally-sound Democratic alternative.

Mr. KNOLLENBERG. Mr. Speaker, our tax code should be designed fairly and it shouldn't pick winners and losers. But under the current system, married taxpayers are unfairly singled out.

Over 65,000 couples in my district are affected by the marriage penalty each year. Marriage should be a time of happiness and joy, not punishment from the federal government. Couples should not be targeted for entering into the sacred vows of wedlock. Since last year's tax relief package, this House has taken several steps to ensure tax relief will not be pulled out from under hardworking Americans. Every person paying taxes deserves to know that a sudden and harsh tax increase isn't looming down the road.

I am proud of the work this House has accomplished so far this year, especially to effort to provide continuing tax relief. We should continue our support for the American people by passing permanent repeal of the marriage penalty.

Mr. SANDLIN. Mr. Speaker, I rise today in support of this legislation.

The elimination of the Marriage Penalty Tax has been a priority of mine since I first got elected to Congress. In 1997, as a Freshman Congressman, one of the first pieces of legislation I cosponsored was a bill to eliminate the marriage penalty tax.

When the Federal Government first levied income tax in 1913, all taxpayers filed individual tax returns and the rate schedules did not differentiate between singles and married couples. By basing a married couple's federal income tax entirely on the separate income of each spouse, the original tax code resulted in married couples with the same collective income paying different level of taxes.

In 1969, Congress enacted legislation establishing a tax framework for married couples, similar to current law, that produced a "marriage penalty" and a "marriage bonus." The "marriage penalty" results in some married couples paying more in taxes than they would as unmarried individuals filing separately. The "marriage penalty" is an archaic



tax that punishes working families. While the tax code actually gives a "marriage bonus" to couples with only one working partner, the "marriage penalty" is applied to couples where both partners work. The average penalty is over \$1100. That translates into mortgage payments, car payments or child care for East Texas families.

Last year, on March 29, 2001, I voted for the Marriage Penalty and Family Tax Relief Act, which increased the standard deduction for married couples filing jointly to twice the basic standard deduction of single filers over a four-year period, beginning in 2005. However, as we all know, the version that was signed into law, as part of the overall tax cut package, re-establishes the marriage penalty in 2011. This is simply not acceptable to me or to the millions of couples who are hurt by the marriage penalty tax. I believe that passage of last year's tax bill was a good step toward eliminating the burden of the marriage penalty tax. However, the sunset is a setback for true, long-term relief.

Today, I am pleased that we have the opportunity to vote once again on permanent repeal—making sure that the marriage penalty tax will not rear its ugly head again in 2011. I believe that, no matter what, we must make the marriage penalty tax repeal permanent. Doing so is good for working families—those where both parents are working to make ends meet.

I urge my colleagues to support this important legislation and I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, here we are: another day, another tax cut, another political maneuver by my Republican colleagues.

I would be remiss if I failed to mention that we have already done this. Recall, if you will, April 18, when this body voted to make the last year's tax cut permanent. Though I voted against it, it passed by a vote of 229–198. Why are we taking a piecemeal approach and voting on it again? Do we not have anything better to do with our time? Yes, we have plenty to do, like providing a prescription drug benefit for our seniors, increasing the minimum wage so people can earn more than a measly \$5.15 an hour and making sure patients are protected from insurance company bureaucrats.

Let's discuss the substance of this bill, something my Republican colleagues obviously have not done. Last year, the President promised we would be able to maintain a balanced budget, shore-up Social Security and Medicare, provide a prescription drug benefit to seniors, and give a huge tax cut to the wealthiest Americans. Well, as some of us in this body predicted, that has not materialized. That irresponsible tax cut was based on ten-year projections. The numbers used by the Republicans were grossly unrealistic. So, here we are, experiencing deficits instead of surpluses and the Republicans are telling us there are not sufficient resources for a decent prescription drug benefit.

Don't get me wrong, I support, and Democrats support, responsible tax relief, including marriage penalty relief—as long as it is not funded out of the Medicare and Social Security Trust Funds. So, I would ask my colleagues to do the responsible thing. Let us support the Rangel-Matsui substitute. This substitute will permanently extend the marriage penalty relief, as long as there is a de-

termination by the Office of Management and Budget that the Social Security Trust Fund will not be raided to do so.

Ms. JACKSON-LEE of Texas. Mr. Speaker, since 1969, our tax laws have punished married couples when both spouses work. Each year more than 21 million are penalized for no reason other than the decision to be joined in holy matrimony. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue. I believe this penalty should be fixed but in a responsible way.

A married couple generally is treated as one tax unit that must pay tax on the couple's total taxable income. Defining the married couple as a single tax unit under the Federal individual income tax tends to violate the goal of marriage neutrality. Marriage neutrality means that the tax system should not influence the choice of individuals with regard to their marital status. However, under the current Federal income tax system, some married couples pay more income tax than they would as two unmarried singles—a marriage tax penalty—while other married couples pay less income tax than they would as two unmarried singles—a marriage tax bonus.

A "marriage penalty" exists when the combined tax liability of a married couple filing a joint return is greater than the sum of the tax liabilities of each individual computed as if they were not married.

Last year, the President promised that we could have it all. He argued that the projected \$5/6 trillion in surplus within 10 years was enough for a large tax cut, a decent Medicare prescription drug benefit, increases in education spending, and increases in defense spending. Now, instead of large projected surpluses, we are experiencing deficits for the foreseeable future. The current estimates for this year's unified budget deficit are between \$150 and \$200 billion. It is a remarkable change from the \$250 billion surplus that occurred in fiscal year 2000.

The Republican bill will not have any impact until 2011. At that point, it will have a revenue cost of over \$25 billion per year. It will cost over a quarter of a trillion dollars in the 10 years following the budget window, the time during which the baby boom generation will retire and strain our Social Security and Medicare resources. Democrats do support marriage penalty relief if it is not funded out of Social Security surpluses. However, this is not the case. We are being told that there are not sufficient resources for a decent Medicare drug benefit or education spending. I do support the substitute offered by Democrats which affirms marriage and protects Social Security and Medicare.

There is no need, other than politics, to bring this bill up now, especially when we have so much important work that needs to be completed. The marriage penalty relief promised by last year's tax cut will not even arrive for several years. Additionally, fully 70 percent of the marriage penalty provisions does not take effect until after 2006. Reducing the marriage penalty is the right thing to do, but it must be part of a responsible budget framework that ensures sufficient resources for vital programs. Before we pass legislation that drains Federal revenue in future years, we

must look at the need to address the serious problems facing the country now, such as Social Security and Medicare.

Mr. GILMAN. Mr. Speaker, I rise today in strong support of H.R. 4019 the Permanent Marriage Penalty Relief Act of 2002. I urge my colleagues to support this legislation.

This bill provides that the various provisions pertaining to marriage penalty relief in last year's comprehensive tax reduction legislation be made permanent. At the time of passage, these provisions were set to "sunset" after a period of 10 years in order to comply with procedural rules in the Senate.

The marriage penalty statute punished married couples where both partners work by driving them into a higher tax bracket. It taxed the income of the second wage earner at a much higher rate than if they were taxed as an individual. Since this second earner was usually the wife, the marriage penalty was unfairly biased against female taxpayers.

The Congressional Budget Office estimated that 42 percent of married couples incurred a marriage penalty in 1996, and that more than 21 million couples paid an average of \$1,400 in additional taxes. The CBO further found that those most severely affected by the penalty were those couples with near equal salaries and those receiving the earned income tax credit.

This aspect of the Tax Code never made sense. It discouraged marriage, was unfair to female taxpayers, and disproportionately affected the working and middle-class populations who are struggling to make ends meet. For these reasons, it needed to be repealed, and today that repeal should be made permanent.

Mr. KIND. Mr. Speaker, I rise today in support of making permanent the marriage penalty tax relief bill passed last year. I strongly believe that we should eliminate the tax penalty that some married couples incur because it is simply the right thing to do. Yet, it must be done in a fiscally responsible way that will not put our country further into the red.

That is why I support the alternative legislation being offered by Representative MATSUI, which will allow the marriage penalty tax relief bill passed last year to become permanent in 2010 as long as the extension does not raid the Social Security trust fund. In 2010, the Director of the Office of Management and Budget will determine if permanent repeal of the marriage tax will not result in a raid on the Social Security. If, on the other hand, OMB determines the repeal will raid the trust fund, the repeal will be put on hold. This alternative bill to H.R. 4019 is a fiscally responsible approach to eliminating the marriage penalty because of the inclusion of the Social Security trigger mechanism.

Moreover, the alternative offers permanent relief from the marriage tax penalty while also providing the Federal Government added flexibility. As we have seen all too clearly in these past 9 months, the Government needs the ability to revisit economic forecasts before moving forward with policies that may seriously cripple our ability to respond to new problems. Lastly, the alternative bill before the House today sends the right message to the American people: that we are serious about returning to the practice of fiscal responsibility and protecting Social Security.



In comparison, H.R. 4019, sends the wrong message because it is so clearly fiscally irresponsible. It will cost nearly a half a trillion dollars over 10 years and will not have an impact until 2011, the same time that the baby boom generation will retire, and strain our Social Security and Medicare resources. Even Chairman of the Federal Reserve Board, Alan Greenspan, testified before the Senate Budget Committee in January 2002, warning Congress "the fiscal pressures that will almost surely arise after 2010 will be formidable."

Last year we passed a budget that boasted a 10-year unified surplus totaling \$5.6 trillion. The administration and House leadership claimed that an expensive tax cut plan and other costly initiatives were eminently affordable and there would be enough of the budget surplus to eliminate most or all of the national debt. Thus, Congress passed a tax cut costing over \$1.3 trillion. Unfortunately, the budget situation has changed dramatically since last year; large budget surpluses have been replaced by large and growing budget deficits due to the war on terrorism, increased homeland security, and the large tax cut. This year's deficit will be nearly \$314 billion and over the next 10 years, the non-Social Security deficit will total \$2.6 trillion.

Mr. Speaker, tax relief is a bipartisan issue. My colleagues on both sides of the aisle recognize the need for providing tax relief to the hundreds and thousands of struggling families across our country. But making this tax cut permanent is not the result of bipartisanship. The large tax cut passed last year has already derailed the opportunity we had to reduce our large national debt and prepare for our future obligations—for aging population and children's futures.

After decades of deficit spending, it is our responsibility to reduce the debt future generations will inherit. We must not keep digging a deeper hole for our children to climb out of in the future, rather, we must give them the capability and flexibility to meet whatever problems or needs they face. I cannot, in good faith, support legislation that will put our country further into deficit spending and pass a legacy of debt onto my two little boys.

Mr. Speaker, I urge my colleagues to oppose this fiscally irresponsible tax cut. Making the tax cut permanent without consideration for our Nation's fiscal situation will only further exacerbate our country's poor fiscal health. We must shore up Social Security and Medicare and reduce the national debt before passing such an expensive tax cut that we cannot afford. I did not come to Congress to saddle my two boys with a debt burden they did not create.

Mr. BLUMENAUER. Mr. Speaker, last year the administration and Republican leadership brought forth a tax cut and budget proposal. I opposed that proposal for its unrealistic assumptions and potential for leading us down a fiscally dangerous path. A year later we are witnessing the deficits and raiding of Social Security and Medicare that were all but inevitable.

Now, with the reality of deficits staring us in the face, the Republican leadership brings to the floor another in a series of bills that repeal the sunset provision of a part of their tax cut package. Reducing the marriage penalty is the right thing to do, but it must be part of a responsible budget framework.

H.R. 4019 will cost nearly half a trillion dollars over the next two decades. The Repub-

lican leadership offers no plan to take these funds from anywhere but the Social Security and Medicare trust funds.

I support the Democratic substitute amendment, which would permanently extend marriage penalty relief if the Office of Management and Budget certifies that the repeal will not result in funds being taken from Social Security.

Congress must adhere to budget policies that will return fiscal responsibility to the Federal Government. The American people expect us to produce a responsible budget and honor our commitments—a task that only becomes more unlikely with the bill before us today.

Mr. BARCIA. Mr. Speaker, I rise in strong support of H.R. 4019, the Permanent Marriage Penalty Relief Act. This important measure will permanently repeal the marriage penalty which effects millions of married couples across our Nation.

I would like to recognize the leadership of Congressman WELLER, and I want to thank him for giving me the opportunity to do my part to ensure that the marriage penalty is permanently removed from the Tax Code. It has truly been an honor to work with him.

Let me begin by saying that, fundamentally, the marriage penalty is an issue of tax fairness. Married couples on average pay \$1,400 more in taxes simply because they are married. This is an unfair burden on our Nation's married couples and an unfair burden on the American family.

Marriage is a sacred institution and our Tax Code should not discourage it by making married couples pay more. We need to change the Tax Code so it no longer discriminates against those who are wed.

As most of you know, the marriage penalty occurs when a couple filing a joint return experiences a greater tax liability than would occur if each of the two people were to file as single individuals.

The Congressional Budget Office estimates that more than 25 million married couples suffer under this burden.

The legislation that is before us will erase this grave injustice from our current Tax Code. It is important that these 25 million American families know that this relief is permanent so they may use their hard earned money to build better futures.

For me, this bill strikes to the heart of middle-income tax relief. In my district in Michigan, there are over 53,000 families who would benefit from this relief. These are the people who are the backbone of our communities, these are the people who need tax relief the most and we must make sure America knows this much deserved tax relief will not be lost because of a sunset date.

This bipartisan bill achieves that goal—and I know that all of us present here today who support the measure will not stop working until this legislation is signed into law. My constituents have spoken to me on this issue—and the time has arrived to act decisively to permanently eliminate the marriage penalty.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 4019, the Permanent Marriage Penalty Relief Act, of which he is a cosponsor. This legislation would make permanent the various provisions in the tax cut law enacted last year that reduced the so-called "marriage penalty." Without the passage of H.R. 4019, the marriage penalty relief provisions, which are cur-

rently set to be implemented beginning in 2005, will expire at the end of 2010.

At the outset, this Member would like to thank both the main sponsor of H.R. 4019, the distinguished gentleman from Illinois (Mr. WELLER), and the chairman of the House Ways and Means Committee, the distinguished gentleman from California (Mr. THOMAS) for their instrumental role in bringing H.R. 4019 to the House floor today.

This member supports the passage of H.R. 4019 because this legislation will at long last permanently reduce the current marriage penalty inherent in the provisions of the Internal Revenue Code. Thus H.R. 4019 will make a major step toward meeting the principle that the Federal income Tax Code should be marriage neutral. It would be a sad situation if the Internal Revenue Code is a factor for consideration when individuals discuss their future marital status.

Therefore, for these reasons, and many others, this Member urges his colleagues to support the Permanent Marriage Penalty Relief Act.

Mr. ROEMER. Mr. Speaker, I rise in strong support of H.R. 4019, a bill to make the marriage tax cut permanent. This is prudent and fair legislation that strengthens our most basic institution, the institution of marriage, which we should encourage rather than discourage under the United States Tax Code.

I have always cosponsored and voted to repeal the marriage penalty. I have also voted to override the former President's veto. It simply did not make sense that our tax laws made it more expensive to be married than single. For more than 30 years, our tax laws punished married couples when both spouses worked. In my district alone, more than 60,000 families have been adversely affected by the marriage penalty. More than 600,000 families have been punished by the marriage tax in my State of Indiana as a whole.

With my strong support, Congress finally enacted legislation to gradually reduce the tax penalty until fully repealed in the year 2009. Unfortunately, however, the effect of last year's tax cuts results in sunset marriage penalty relief and returning to the full tax rate in 2010 and beyond. This would clearing present a shocking and unwelcome burden to married couples, forcing significant changes in planning how family income is spent on their children's college education and student loans, mortgage payments for their home, and retirement savings.

I support this legislation not only because it provides fairness to married couples, but also because it strengthens the institution of marriage from an IRS standpoint. This bill encourages stable two-parent, marriage-bound households. Whether it is in a church or in a courtroom, couples usually have to pay some kind of fee for the marriage ceremony. But while it may cost money to get married, is should not cost money to stay married.

Rather, we need to support policies that encourage strong and healthy families that are so absolutely critical for vibrant societies. The pressures on working families are significant enough without this disincentive on the tax books. Therefore, I strongly encourage my colleagues to support this legislation repealing the marriage tax sunset and making it permanent for every current and future married couple in America.

Mr. WELLER. Mr. Speaker, I yield back the balance of my time.

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. MATSUI

Mr. MATSUI. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. MATSUI:

Strike all after the enacting clause and insert the following:

**SECTION 1. MARRIAGE PENALTY RELIEF PROVISIONS MADE PERMANENT.**

Except as provided in section 2, title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of Act) shall not apply to title III of such Act (relating to marriage penalty relief).

**SEC. 2. TAX REDUCTIONS CONTINGENT ON NOT RAISING SOCIAL SECURITY TRUST FUNDS.**

Section 1 shall not take effect unless, during calendar year 2010, the Director of the Office of Management and Budget certifies that there will be sufficient non-social security surpluses during the 10-fiscal year period beginning with fiscal year 2011 so that, during such 10-fiscal year period, the provisions of section 1 would not result in a raid on the social security trust funds (or increase the size of a raid on such funds). For purposes of the preceding sentence, such funds shall be treated as raided during any year for which there is a deficit in the non-social security portion of the Federal budget.

The SPEAKER pro tempore. Pursuant to House Resolution 440, the gentleman from California (Mr. MATSUI) and the gentleman from California (Mr. THOMAS) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MATSUI).

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to say we will concede for the moment the fact if the other side wants to extend this legislation, we will extend it with them. We will take the bill from the other side of the aisle, their legislation, and say we will extend it. However, we would just put a provision in there that they should accept because last night when we had the motion to instruct, they did the same thing when it came to energy taxes, and that is 1 year before the proposal is to be extended, that is 2010, a full 8 years from now, we are talking about some 8 years from now, in 2010, the director of the Office of Management and Budget would have to certify that over the next 10 years, none of the funds to pay for marriage penalty relief would come out of the Social Security trust fund.

Mr. Speaker, that way my colleagues on the other side of the aisle could have it both ways. They could say that they have extended the marriage penalty relief for all Americans, and take care of all those people that the gentleman from Illinois (Mr. WELLER) showed the picture of, and at the same time they will protect the Social Security trust fund. Seven times in the last 3 years my colleagues on the other side

of the aisle voted for a so-called lockbox to preserve the Social Security surplus so it could not be used for tax cuts or spending.

And so it is a very simple amendment, something that I believe that they support, something that certainly we support because we think one of the most important aspects senior citizens have is a guaranteed benefit at the end of the day, a Social Security benefit that frankly is actually only worth about \$860 a month for the average senior citizen; but for many, it is the only thing they have.

If my colleagues on the other side of the aisle vote against my substitute, then they are basically the police officer who is defending us, the firefighter who is protecting us, the teacher who is teaching our children, as they pay their payroll taxes into the Social Security trust fund, that that money is not necessarily going to go to them when they retire. We all know this.

Right now there are 60 million Americans that are receiving Social Security benefits. In the next 15 years, we are going to add 40 million more to a total of 100 million people because the baby boom population in the year 2012 will begin to retire. We need to protect those funds for our senior population. We should not be using them for estate tax relief, spending programs, or anything else.

My amendment will make Members really fess up. Do they really want to protect Social Security, or are they just kidding people? Do they want to make sure that senior citizens are protected in their old age, or are they just doing a bait-and-switch? That is what this issue is all about, Mr. Speaker.

Our bill will let them have their relief in 2011. We will continue the marriage penalty relief, but only if it does not come out of the Social Security trust fund to do damage to the retirement benefits of our senior citizens.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, golly, if any Members listened to the first hour, they would think our friends on the other side of the aisle were in opposition to what we wanted to do. That it was a sham, a farce.

And then, lo and behold, their substitute takes the majority's bill. Now at this point I am running through my knowledge of quotes that might perhaps put this in perspective, and the only one that comes to mind is the Yogi Berra quote, "When you come to a fork in the road, take it."

Mr. Speaker, what we have here is an hour of debate about how horrible this side of the aisle and those who really do want to eliminate the marriage tax penalty on the other side of the aisle are in trying to offer permanent repeal.

If I understand what the gentleman from California (Mr. MATSUI) is offering is permanent repeal. He is offering the underlying bill. So if the gen-

tleman from California did not understand the context in which I referred to his argument about the fact that the gentleman from Connecticut was not allowed to appear in front of the full committee, in which I said there had been 17 full committee hearings, and only one had Members in front of it, is baloney. I said it was the \* \* \* baloney; and if the gentleman does not understand the use of that phrase, let me explain it. Apparently the argument that the Democrats have been making for the last hour is baloney.

PARLIAMENTARY INQUIRY

Mr. MATSUI. Mr. Speaker, parliamentary inquiry. I demand that the words of the gentleman from California (Mr. THOMAS) be taken down. I think the gentleman has used a Member's name in a way that is diminishing to the Member, and is putting the colleague up to contempt and ridicule. If I may have a ruling, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from California (Mr. MATSUI) in his parliamentary inquiry demand that the gentleman's words be taken down?

Mr. MATSUI. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. Members will suspend. The Clerk will transcribe and report the words.

□ 1230

Mr. THOMAS. Mr. Speaker, rather than delay the process, since a number of Members really want to go home and rather than trying to get the Parliamentarians to attempt to divine sentence structure, the gentleman from California would ask unanimous consent to remove the statement and put in its place that the argument from the gentleman from California about the way in which the gentleman from Connecticut (Mr. MALONEY) was treated is phony baloney.

PARLIAMENTARY INQUIRY

Mr. MATSUI. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. MATSUI. Mr. Speaker, I would appreciate a ruling from the Chair.

The SPEAKER pro tempore. The gentleman will suspend.

Is there objection to the gentleman's unanimous-consent request?

Mr. MATSUI. I object, Mr. Speaker. I would like a ruling from the Chair, Mr. Speaker.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to withdraw the words so that we can go forward.

Mr. MATSUI. I object, Mr. Speaker. I would like a ruling from the Chair, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to transcribe the words.

Mr. THOMAS. Mr. Speaker, in a further attempt to expedite the process, the gentleman from California asks unanimous consent to strike the words.

Mr. MATSUI. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Mr. THOMAS. Mr. Speaker, in a further attempt to expedite the process in which the gentleman from California's comments about the committee's failure to allow a Member to offer testimony at full committee when that is the extreme exception to the rule rather than the general rule and the argument that we denied it because of the gentleman, that that argument that the gentleman was making was in fact not accurate or factual, which is in a colloquial way sometimes referred to as baloney, the gentleman from California is willing to strike that structure which has been presented if it offends the gentleman because I want to move on with the debate. The gentleman's argument, notwithstanding that, is still phony; but if he is so upset with that reference that we continue to delay the proceedings of the floor, the gentleman from California would ask unanimous consent that that be struck.

Mr. MATSUI. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read the gentleman's words.

The Clerk read as follows:

So if the gentleman from California did not understand the context in which I referred to his argument about the fact that the gentleman from Connecticut was not allowed to appear in front of the full committee, in which I said there had been 17 full committee hearings, and only one had members in front of it, is baloney. I said it was the "Maloney Baloney" and if the gentleman does not understand the use of that phrase let me explain it. Apparently the argument that the Democrats have been making for the last hour is baloney.

The SPEAKER pro tempore. The Chair is aware that the gentleman from California was using the word "baloney" to characterize only the rationale offered by his opposition, but the Chair nevertheless finds that the use of another Member's surname as though an adjective for a word of ridicule is not in order.

Without objection, the offending word is stricken.

There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. THOMAS) may proceed in order.

There was no objection.

Mr. THOMAS. Mr. Speaker, clearly, based upon the Chair's ruling, the fact that the argument had been made about the denial of a Member to appear before the committee is without substance. Perhaps if someone has a thesaurus and they look up synonyms for "without substance," they may find a word referring to a particular lunch meat.

The fundamental point we are making here is we spent an hour with their bemoaning the fact that we want to make the marriage penalty permanent, they now want to take an hour on their substitute which makes the marriage

penalty permanent. One would think that if they were in opposition with all those vehement phrases in the first hour to making the marriage penalty permanent, they would have a substitute that would do something other than making the marriage penalty permanent.

But I have to let my colleagues realize here that what we are engaging in on the floor with the offering of the Democrat substitute could probably generally be referred to as political baloney.

Mr. Speaker, I reserve the balance of my time.

Mr. MATSUI. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

#### PARLIAMENTARY INQUIRY

Mr. STENHOLM. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STENHOLM. Mr. Speaker, it is my understanding that a previous ruling the Chair made today concerning the question that was asked as to whether a Member on either side might mischaracterize the other Member's voting record on this floor should be settled in debate.

The SPEAKER pro tempore. The gentleman is correct.

Mr. STENHOLM. Mr. Speaker, I want to say at the outset that particularly my colleague from Illinois and others who might wish to engage me in debate on what I am about to say, I will gladly yield for purposes of debate and would hope that they would be generous with some time if they take most of my time, because I rise in strong support of providing marriage penalty relief and protecting the Social Security surplus. The only way you do both today is you vote for the Matsui amendment. If you are for marriage tax penalty relief, and I am, it is the same bill you have got. But if you are also concerned about the future of Social Security, the only way you do that is to vote for the substitute. It is kind of like last week I was for eliminating the estate tax on every estate up to \$6 million effective immediately. But you said no, and you won and you lost and none of the small businesses get anything and again you are going to win on political points today if you prevail with 218 votes. In the end, nobody is going to get anything except our young people.

I want to provide relief to the 57,000 couples in the 17th district who pay a marriage penalty. I am for it. But I also care about the 67,000 households in my district who depend upon Social Security and the 253,000 workers paying into the Social Security system now who are counting on us to make sure we can afford to meet our promises to them when they retire. I also am very concerned and care about the 250,000 children under the age of 18 who will face a crushing debt burden and higher

taxes if we do not take action now to deal with Social Security and Medicare. I wish my colleague from California had brought that up last year instead of what got us into the debt position that we are in today.

I do not know of any parent who would want us to give them a benefit today at the expense of leaving their children to pay the bill for a massive national debt and a legacy of deficit spending. I do not understand the philosophy of folks who do not have a problem with leaving our children and grandchildren with a large debt just so we can have a tax cut or more spending today.

The government is on the verge of a financial crisis. The Treasury Department has told us that if we do not increase the debt limit in the next 2 weeks, the government may be forced to default on our debt. The Senate has acted. The House refuses to pay for that which you insist on coming to the floor and arguing again today for. Reducing the amount of revenue so that we default on our obligations, that is what you are for. Instead of figuring out how we are going to stop the tide of rocky red ink and stop spending Social Security surplus dollars, the majority leadership continues to bring to the floor legislation that will continue to add more debt and increased borrowing from the Social Security surplus. And let me say since somebody will stand up here and say spending, for the record, in the 12 years I was here with Republicans in the White House, the Reagan-Bush years, only 1 year did the Congress, the big-spending, liberal Democratic Congress we hear so much about, ever spend more than the President asked us to spend.

□ 1245

In the 8 years of the Clinton administration, with majority Republican leadership in this body, you will find we spent, Congress, notice I say "we," I am part of you, we spent more. It is time for you, us, to get honest with our debate and stop this politicizing and sending out the press releases that you send in to my district.

Let me repeat, if you really want to do away with the marriage tax penalty and protect Social Security today, there is only one honest vote you can cast, and that is to vote for the Matsui substitute. It is the only one that says we can only do these things that feel good, sound good, make good press releases if you pay for it.

Yesterday we voted on the energy bill, an energy bill that is a great bill. I commend the chairman of the Committee on Energy and Commerce. The gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Louisiana (Mr. TAUZIN) did a great job. Yesterday we voted unanimously to pay for it. We voted to pay for it. Some were saying, well, we really did not mean it. Some of us meant it.

I would like to get the tone of the debate back now. As I said in the beginning, I am willing to engage in debate.

I wish somebody would stand up on this side and say what is it that I have said that is not true, what is it about the fact when I state very clearly if you want to do away with the marriage tax penalty, exactly like everybody on this side, all of my friends, it is the same bill.

It is the same marriage tax penalty bill. But what it does not do, it does not increase the deficit on the Social Security system in the second 10 years that your amendment, pure like you want it voted on, does. That is the issue.

I wish you had the same courage now to stand up and say we are going to borrow the \$750 billion in order to give you that tax cut, and we are going to send the bill to your grandchildren. That is what you are doing. That is exactly what you are doing.

Why are we doing this? What is it that makes this such a great political issue? I do not understand.

Vote for the Matsui amendment, vote down the base bill; and then let us get civility back in the House and start working together, before we undo a lot of good things for our grandchildren.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the gentleman's desire to let us get back together, to let us lower the political rhetoric. We are doing some kind of game here, and what they are engaged in is serious legislative business.

I ask anyone to read the substitute. First of all, their bill has no effect until 2010, calendar year 2010. That is 8 budget years from now. We do not have to worry about what kind of obligation our children are going to have if we make prudent spending decisions, if we stimulate this economy to allow entrepreneurship to prevail so the economy can grow.

We have eight budget seasons to create an environment to bootstrap ourselves out of the situation that the tragic events of September 11 of last year put us in, the position we are in. So to say that now we have to shut off all possibility for 8 or 10 years down the road, basically tells me they have no faith in the American people and they have no intention to engage in prudent fiscal policy over those 8 years.

Now, let us talk about taking rhetoric out of the debate. If you find out what it is that the structure of the substitute does is, it takes the congressional control over the purse strings, jealously guarded by the Congress over the years, and blithely says the Director of the Office of Management and Budget would certify, would take the decision out of the people's House and take it down to the executive branch. I think that is fundamentally wrong. It undermines a key provision of the Constitution.

But what is that the Director of the Office of Management and the Budget is supposed to determine? This is where the politics comes in. I know some-

times we use jargon, and especially budgetary jargon, and it gets confusing about what we really mean.

Let me read. It says that "during such 10-year fiscal period, the provisions of section 1 would not result in a raid on Social Security trust funds or increase the size of a raid on such funds."

Now, I would say that the fundamental political motivation of this substitute is to focus on how they describe the decision that the Director in the Office of Management and Budget would make. He or she would decide whether or not there was a, quote-unquote, "raid" on the Social Security trust fund.

If you believe that is technical jargon that is used to determine a budgetary consequence, okay. If you believe "raid" carries pretty heavy political power and that the determination of a raid does not create an attitude, does not get you into a negative frame of mind, then I guess you do not understand how much this is a political exercise.

I appreciate the gentleman from Texas, my friend, and his fundamental concern about our resources. I believe he is absolutely honest in his attempts to make sure that we live within our budget. I agree with him. I am willing to join hands with him. But what I want to do is unleash entrepreneurship, to hold the fiscal discipline in place. We can work our way out of this problem. But I just have a little trouble with the technical term to determine whether or not his substitute has validity, and it is the term "raid." I think the term "raid" in and of itself is a political statement.

Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. WELLER) and ask unanimous consent that he be allowed to control the time as he sees fit.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. STENHOLM), so he may be able to characterize his own comments, rather than have someone else do it for him.

Mr. STENHOLM. Mr. Speaker, I am sorry that the chairman of the Committee on Ways and Means is leaving the floor, but I see he is coming back now.

I would just ask the chairman respectfully if the criticism that you just made of the Matsui amendment would not be equally applied to your bill on the floor, because it is the same language?

Now, as far as the word "raid" is concerned, I would be perfectly willing to change that. We could say "steal," we could say anything; but that does not help.

But I want to yield to the gentleman. Is not the criticism that you made of

the Matsui amendment equally applied to the bill that you are touting on the floor today?

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

I will tell the gentleman it does not, because what we do is simply put in place the current tax structure on a permanent basis. If I might very briefly continue, and I will try to get time on this side if the gentleman does not have it, if you have indicated you agree you want to make the tax permanent, and I want to make the tax permanent, if we make the tax permanent, is it not incumbent on us to make sure we follow fiscal discipline over the next 8 budget years and make sure we move tax measures that can empower the business sector and individuals so that we can grow the economy so that we do not have to worry about the consequences that the gentleman is concerned about?

I think it is the idea of fiscal conservatism and the idea of trying to grow the economy that some of my friend from Texas' friends are worried about actually having to do. You would rather create a false crisis than to grow ourselves out of it. That is my opinion.

Mr. STENHOLM. Mr. Speaker, reclaiming my time, I thank the gentleman for that comment. It is interesting how you can stand here on the floor and look me in the eye and say that the criticism of the exact language is not the same.

Now, you make an argument on a separate issue, and this is the one that I take to the floor to oppose, because I think making tax cuts or spending increases permanent is not fiscally responsible.

Mr. WELLER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. THOMAS).

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think making tax cuts or spending increases permanent in the climate which we are now under, in which we have seen a \$5.6 trillion surplus evaporate and we are now into a \$300 billion deficit, I do not believe it is fiscally responsible on our grandchildren to have votes like this day after day after day. I do not. I respectfully differ.

And on the spending, one thing that really grates on me, when we attempted to have a vote on a substitute budget this year that would have made this argument in the budget, you on the majority side denied us the opportunity to have that debate on the floor of the House during the budget. That is what grates on me.

Mr. THOMAS. Mr. Speaker, reclaiming my time, I understand the gentleman chafes under the rules of the

House because he is now a minority. I understand that. I was 16 years in the minority, and we are operating under far more liberal rules of the House. I understand how it grates on him.

But I will tell the gentleman that the structure that the gentleman had when he was in the majority was far less liberal than ours. If the gentleman will carefully review what I said, which is good practice for everyone, my complaint was about the use of the term "raid" and the fact that the structure that triggered the review was the Office of Management and Budget. That does not appear in the underlying bill.

As far as I know, one of the best motivations to make sure people do the right thing is to have a goal; and if we make marriage tax relief permanent, we have a goal to make sure that the responsibility of not pushing this off on to our children is one that we would match by fiscal conservatism and stimulation of the economy.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. LEVIN), a member of the Committee on Ways and Means.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I am so pleased to follow the gentleman from Texas (Mr. STENHOLM). We have a lot in common. I think what gripes him and what gripes me is not simply being in the minority, but your fiscal irresponsibility.

For the chairman of the Committee on Ways and Means to rise and call himself a fiscal conservative, when under this majority we have seen the surplus essentially evaporate, other than Social Security, and the Social Security surplus threatened, to call that fiscal conservatism? You essentially are the fiscal radicals.

I favor marriage tax relief and have voted for it, so I would say to the gentleman from Illinois (Mr. WELLER), do not get up here and say otherwise. And so have most Democrats. The issue is whether we can combine that relief with fiscal responsibility. We say we can do both, and essentially what you do is to throw away the future. You go through the roof and, then you say "if Congress," "if Congress," "if."

We have seen your record of fiscal irresponsibility. You do not want to vote on the debt ceiling separately. You are doing everything you can to avoid it, and at the same time you are passing bills that make the debt worse, worse, worse. So this is not a question of marriage tax relief. Indeed, the bill that originally passed here, half of the money had nothing to do with marriage tax relief, while our bill focused in on this, as it did with the estate tax.

What your bill does is in the second 10 years essentially costs \$330 billion, plus debt service, which raises it to \$460 billion. It used to be said around here that millions matter. What Democrats are saying is that billions and

tens of billions matter. You are simply being reckless with the future of our children and our grandchildren, and we are emphatic in saying let us take another look before that happens. That is fiscal integrity, that is fiscal responsibility; and I am proud to rise in support of the amendment of the gentleman from California (Mr. MATSUI).

The fact there has been some histrionics on the other side, I would say to the gentleman from California (Mr. MATSUI), I think shows the value of your amendment.

Mr. WELLER. Mr. Speaker, as we return to the basics of this debate of whether or not we eliminate the marriage tax penalty or do we impose a \$42 billion tax increase on 36 million married working couples, I would yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished deputy majority whip.

(Mr. BLUNT asked and was given permission to revise and extend his remarks.)

□ 1300

Mr. BLUNT. Mr. Speaker, I thank the gentleman from Illinois for yielding me time.

I am here to talk about what happens to working families in 2011 if we do not go ahead and act now, act in a way that responsibly assures that we do the right thing for the children of those families.

My good friend from Texas talked a couple of times about what we are doing for our grandchildren. What do we do for these grandchildren if we accept the figures that we are hearing on the floor today? Mr. Speaker, \$460 billion of tax increases for families where moms and dads are both working over 10 years, \$460 billion taken away from those families where 2 people every day get up, go to work, do their very best to provide for their families, and we decide that we want to reinstate a marriage penalty on January 1, 2011. That is not acceptable; it is not something this Congress should be considering. What we have a chance to do today is to really be sure that this relief becomes permanent.

The fact is that when you get married, you should not have to have a penalty in the Tax Code. If anything, there should be a bonus in the Tax Code. You get more of what you encourage, you get less of what you discourage. A marriage penalty works against the very things that we want to encourage: families working together, people going to jobs every day to try to create a better life for their families. We do not want to have a \$42 billion annual tax increase that goes into effect January 1, 2011 because people are married.

If we are going to think about penalties in the Tax Code, it should be somewhere besides here. We need to move forward with this legislation today and we need to make it certain that one of the biggest tax increases in history for working married couples

will not be January 1, 2011. The way to do that is to make the marriage penalty relief permanent, to do it now, to let couples begin to plan what they can do with their financial resources in the future for the advantage of children and grandchildren.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from the State of Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, it is not that I necessarily disagree with what my Republican colleagues want to do in 2011 and for the decade after that, but let me remind my colleagues, we are in the year 2002. We do not need to fight this battle now. Why do we not wait until 2009 or 2010 so we can see what is happening with our budget then? But what we are seeing is that they would rather fight a battle today for something that may happen 10 years from now instead of dealing with the problems we have today.

We are in a war on terrorism. Our budget deficits are exploding for the next 8 years, as we would expect. Yet, they want to take time on the floor to say we want to make sure you can tax-plan for 10 years from now. I wish I could tax-plan for next year or the year after.

The battle should be on how we are going to deal with the deficit right now; how we are going to deal with the tax cut that was passed last year before September 11; how September 11 and the increase that all of us support to fight the war on terrorism, how we are going to deal with an economy that did not come back or has not come back like some of us wanted it to or hoped it would do, or whatever we could do, maybe some other tax cuts, but they need to be more immediate, than to argue today over something that is going to happen 10 years from now. That is why I think it is so ludicrous to be up here saying we are going to take care of you in 2011 but, by the way, for the next 9 years, we are going to have deficits out of the gazoo.

The Democratic substitute, all it says, it has the same things that the Republicans do for 10 years from now, again, which is somewhat silly, but it says, okay, we will do this 10 years from now, but we are going to make sure that Social Security and Medicare are safeguarded. That is all it says. That is why it seems we ought to as a House agree we want to take care of our seniors. There are those of us who 10 years from now may be eligible for Social Security, but I know a lot of my constituents will be, and I want to make sure that they have Social Security and Medicare there instead of having the trust fund continue to be drained away by excessive deficits that we expect.

Now, I hope it does not happen in the next 3 or 4 years, but unless we address today and not fight battles that are 9

years away, we will not address it and we will have the budget deficits as far as the eye can see, and that is for the next 9 years, Mr. Speaker.

That is why the Democratic substitute is very simple. We will give you the tax cut. You can tax-plan for 10 years from now if you can, but we are going to make sure that if it impacts Social Security and Medicare, that it does not touch it, that the trust funds will be there.

That is why I think it is so strange that we are having a battle for 10 years from now. Even if we are doing it in 2013 to 2022, if the baby boomers are aging into Medicare and Social Security, this legislation could cost \$330 billion. Where are we going to get that if we have a \$250 billion deficit for this year and for as far as the eye can see?

I just think, again, we are fighting a battle for political purposes and not really dealing with the reality at hand, with the war on terrorism or an economy that is not in good shape. We need to do something today instead of 10 years from now.

Mr. WELLER. Mr. Speaker, as we return to the real issue here of whether or not to impose a \$42 billion tax increase on 36 million married working couples, I am happy to yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding me this time.

The House, once again, is revisiting that long debate about whether working families pay too little in taxes or they pay too much. Only the Democrats see cutting taxes as a spending program. Deficits are caused by spending too much money, not by raising too little taxes.

So before I explain why this awful substitute must be defeated, we ought to tell the people where we stand and what this debate is really about.

Over the last few weeks, Republicans have voted to lower the tax burden on American families. We extended the adoption tax credit to help more vulnerable children in our society find homes where they are safe and loved. The House permanently eliminated the hated death tax, which destroys so many small businesses and farms. In the weeks to come, we will strengthen retirement security by allowing workers to expand their retirement savings through 401Ks and IRAs, and we will raise the child tax credit to \$1,000 so parents can keep more of the money that they earn to support their families.

All of these measures passed the House with strong bipartisan majorities, but the Democrat leadership's continuing devotion to big government causes them to reflexively oppose anything that lets people keep more of the money that they earn. That is why they are demonizing the President's tax cut.

I have seen a lot of Democrat substitutes, and this one is so true to

form, it raises taxes \$42 billion on over 30 million families. There is rarely a week that passes around here in which the Democrat leadership does not attempt to raise taxes in one way or another. Last week, they even voted to revive the death tax. But the remarkable thing is that my friends are also proposing to weaken the Constitution.

Our Constitution clearly states that tax increases such as this one that they propose in their substitute must begin in the House of Representatives. Our Founding Fathers rightly structured our system this way so that voters could hold the people who raise their taxes accountable. The Democrat substitute would empower unelected government bureaucrats to raise taxes on married couples based upon their predictions about the government's balance sheet or the needs of the government. Their substitute tries to pull an end run around our Constitution. Their substitute erodes the ability of voters to hold accountable those seeking to grab more of their hard-earned wages.

Members should defend the Constitution and reject higher taxes by defeating this substitute. Vote "no" on the substitute and vote "yes" to support marriage penalty relief.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from the State of California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time.

What are we doing today? As is often the case, I think most people watching this are probably pretty confused. What are we doing today? Well, we have a bill from the majority today before us that would cost, during its first 10 years in effect, about \$460 billion. But, it will not take effect for the next 7 years, so none of the benefits that are claimed under this marriage penalty protection take effect until 2011. So nothing goes to anybody today. But we are planning today to commit \$460 billion starting in 2011, even when today we know we have a \$100 billion deficit in today's, this year's, budget, and we know that every single dime out of the Social Security trust fund and the Medicare trust fund today, this year, is being used to pay for things that we do not have money to pay for yet because we have a \$100 billion deficit.

What else are we doing today? Well, Democrats today stood up and introduced their prescription drug plan for seniors under Medicare, one that would provide seniors, every senior, not just certain seniors, every senior, a prescription drug policy under Medicare. Where are our priorities? What should we be doing?

The American people want us to take care of the fear of terrorism. Let us invest money there. The American people say it is about time that seniors did not have to choose between their rent and their medicine, between their food and their medicine. Let us give them

this prescription drug program that they need. It would cost less than this particular bill. Let us give seniors security, knowing that we are going to protect and strengthen Social Security into the future, which we could do if we did not pass this bill. But no, we are not doing that. We are committing monies into the future knowing that right now, today, we are already in deficit spending.

Where is the accountability? A year ago the President said, I can pass a tax cut bill and not touch a dime out of Social Security or Medicare trust fund money. Today, we are using every single cent of it, and now we want to commit even more of it. Where are we going? Where are our priorities? How do we explain this to the American people? We must be accountable. We must have fiscal discipline. We cannot continue to say that we will let the national debt, which is close to \$6 trillion, grow.

We had a plan 3 years ago that would actually have eliminated that debt. Today, under the President's budget, it grows. And now, with this it grows even further. How can we talk about families and the marriage penalty relief when, in fact, what we are doing with this bill is actually causing family penalty, not relief. Why? Because we take out one of these things, one of these things that too often Americans use and use unwisely. With the government credit card you can say, I can give you marriage penalty relief, not today, in about 7 years, and it is going to cost us half a trillion dollars, but that is okay, I have this. Who pays? We are mortgaging our children's future, because they will have to pay for it. We are mortgaging our seniors' lives, because we can give them prescription drugs, and we are mortgaging seniors today because they can say, I have Social Security, but I want to make sure my children have it as well.

Mr. Speaker, let us get our priorities straight and support this bill and vote for the substitute.

Mr. WELLER. Mr. Speaker, as we return to the basic issue here of whether or not we have a \$42 billion tax increase on 36 million married working couples, I am happy to yield 2 minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Returning to the debate on the floor today, it is very interesting to listen to the gentleman from California, my friend, because he seems to be of two minds. He stood here on the floor bemoaning making permanent marriage penalty relief, alleging all sorts of fiscal problems, and yet he said to support the substitute offered by the other gentleman from California. So there is an inherent disconnection right there.

Mr. BECERRA. Mr. Speaker, will the gentleman yield?

Mr. HAYWORTH. No, not right now. I want to make my point.



Mr. BECERRA. Mr. Speaker, I want to explain the disconnect.

Mr. HAYWORTH. Mr. Speaker, on the gentleman's own time he can get the time to explain the disconnect.

Here is the point I would like to make today, and this is the point that I think we all need to keep in mind. If, in fact, they are offering marriage relief, we say welcome. But there is a problem here in what they have done.

Article I, section 7 of the Constitution reads, "All bills for raising revenue shall originate in the House of Representatives." What the substitute does is empower the director of the Office of Management and Budget to make a determination.

So let us get this straight. We are going to take and ignore the powers given to this House to make the czar of revenue the director of the Office of Management and Budget, and that person will decide when and if tax relief will be enacted or put into practice. It defies the Constitution.

Mr. Speaker, we are talking about a couple of major issues here today that involve the notion of trust and what is sacred. The marriage vow is sacred, and I believe that, and writings in the Constitution are likewise. We dare not mortgage the rights of elected people in a free society, elected representatives, described in this document of limited and enumerated powers, for a gimmick empowering a bureaucrat in the executive branch to decide on taxation. Yes, on marriage penalty relief; no on a clever, but flawed, substitute.

□ 1315

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I am sure the previous speaker, by the way, in employing the logic he did as he pulled out the copy of the Constitution, I would bet Members anything he voted for the line-item veto. So where Congress is in charge of spending by the Constitution, I will bet he voted to give that power to the President of the United States. I would be willing to bet anything he voted for that.

Mr. Speaker, today we vote on whether or not to repeal the sunset provision of the Marriage Penalty Tax Relief Act. Now, marriage penalty tax relief is important; but just as important is, how do we pay for it? Time and again, the House has been prohibited from voting on ways to pay for tax relief provisions that do not steal from Social Security and Medicare trust funds. The Matsui substitute is a responsible approach to providing marriage penalty relief by guaranteeing certification that the Social Security

trust fund is not to be raided for this purpose.

Mr. Speaker, the Democrats simply want to pay for this tax relief act by implementing provisions of the Corporate Patriot Enforcement Act, sponsored by myself and that old meatgrinder, the gentleman from Connecticut (Mr. MALONEY). Taxpayers around the country want Congress to act swiftly to stop these corporations from shelving their patriotism to save a few bucks.

That is what we should be debating on this floor, these companies that are moving to Bermuda. But constituent calls have fallen on deaf ears because we cannot readily get that piece of legislation to the floor. The Neal-Maloney Corporate Patriot Enforcement Act would immediately and permanently shut down the exodus of American corporations who are moving to Bermuda, in this time where we are all feeling good about patriotism in this Nation, so they can avoid paying U.S. corporate income taxes.

Hardworking American families are, yes, entitled to tax relief; but I am sure these families do not want to burden their children by placing our trust funds and budget at risk. Let us pay for the Marriage Penalty Relief Act. Let us stop the procedural games. Let us get a vote in this institution on the Neal-Maloney Corporate Patriot Enforcement Act that would stop corporate expatriates.

I will hold Members to the same offer and opportunity I provided a couple of weeks ago in my assessment of that vote: put that legislation on this floor and it will get 300 votes. We deserve a vote on that bill.

Mr. WELLER. Mr. Speaker, as we return to the debate on the issue before us on whether or not to impose a \$42 billion tax increase on 36 million married working couples, I am happy to yield 3 minutes to the gentleman from Florida (Mr. SHAW), a distinguished member of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would like to just review exactly where we are, where we are going, and why we are here.

If I understand the way the thing is arranged right now on the substitute, to begin with, I think it is a truism, and I have not heard anybody in this House defend the marriage penalty. It is a tax that taxes people that are married, where there are two wage-earners in a household, more than they would be taxed if they were single. Everyone in this House agrees that that is wrong, and we corrected the situation.

But because of a peculiarity in the rules of the Senate, we were only able to do it for 10 years, so we did it for 10 years. Ten years is better than nothing. Now we want to make it permanent. I would say that many Democrats are going to vote with the Republicans in making it permanent. They are not going to turn this over to the Office of Management and Budget.

The previous speaker, I think, made a very interesting observation. I am surprised it has not been made many times, at least from this side. Yes, a lot of us did vote for the line-item veto, but the court said that the line-item veto given to the President is unconstitutional because it is giving legislative authority to the executive branch.

Whoa, wait a minute. Is that not what we are doing here? Are we not giving the Office of Management and Budget the opportunity to give a huge tax increase simply by a guess that it will make in the year 2010 that the Congress may be spending a little bit of the surplus, or that the surplus may be called into play in order to bring fairness to the Tax Code?

I think it is also important to realize that we will not have a surplus after 2017, so we need to get together in a bipartisan way and solve the problems of Social Security so that it will be there after 2017, and we will not have to be too concerned about what the question of the surplus is, because that is going to go away.

But returning to the issue here, we are trying to erase a scheduled tax increase in 2010 that the Congress can enact simply by increasing spending and not having to vote to increase taxes. Vote against the substitute; vote for the underlying bill.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am glad people are concerned about the Constitution of the United States. I wish we were concerned about it in a lot of other cases, as well.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. BISHOP).

(Mr. BISHOP asked and was given permission to revise and extend his remarks.)

Mr. BISHOP. Mr. Speaker, I rise today to support repeal of the sunset provision of the Marriage Penalty Relief Act. Mr. Speaker, a recent study found that over 728,000 married couples in Georgia, 52,000 in the district I represent, are adversely affected by the marriage penalty. Today we have the ability to remove this burden and repeal one of the most unfair provisions of our Tax Code. The family is the basic unit of society. As the family goes, so does our society go.

The Bible says, he who finds a wife finds a good thing and obtains favor from the Lord. Marriage is a good thing. It is awful that our current laws encourage cohabitation without marriage. Untold numbers of men and women should not be encouraged to make this choice. At best, our laws should support marriage and the family; at the least, our laws should be neutral.

Today I ask my colleagues to embrace marriage, embrace the family unit, and create another reason for everyone to find their good thing. Remove the financial hassle associated with matrimony, permanently repeal



the marriage penalty, and fully encourage the institution of marriage and the strengthening of our family units.

Mr. WELLER. Mr. Speaker, as we return to the basic debate we have before us of whether or not to impose a \$42 billion tax increase on 36 million married working couples, I am happy to yield 1½ minutes to the distinguished gentleman from Missouri (Mr. AKIN).

(Mr. AKIN asked and was given permission to revise and extend his remarks.)

Mr. AKIN. Mr. Speaker, I rise to speak against the Democrats' substitute.

Mr. Speaker, I would say that anybody who is going to acknowledge the need for some level of fiscal responsibility, that is something that I think we all respect and know that we have some need for that. The question is, does this, the Democrat substitute, really give us any fiscal responsibility, or is it, rather, a fig leaf or an excuse? I am afraid it is more of a fig leaf and an excuse.

The substitute stipulates that the marriage penalty is going to be reimposed, this unfair prejudice against married people will be reimposed, unless there is a non-Social Security surplus.

Now, there are a couple of problems with that. The first problem is, who is it who is going to make that determination? Who is going to guess whether there are going to be non-Social Security surpluses, particularly for a period of 10 years? That is going to be the Office of Management and Budget. Let us see, that is the executive branch, or at least it is a bureaucrat, as opposed to the Congress. That is flatly unconstitutional.

So the first problem on the face of this is that it is an amendment that is going to be putting into place some particular procedure which just flat out is inconsistent with the Constitution. But, unfortunately, the inconsistencies go even further and the problems go further, because we are asking some bureaucrat to be able to say to Congress that, I am going to guarantee you that for 10 years, not just 1 year but 10 years, that there will be no budgets; that you will not go on a tax-and-spend spree. I think that is asking an awful lot. That is like asking somebody to roll a seven on a single dice.

Mr. WELLER. Mr. Speaker, as we continue our debate on whether or not to raise taxes by \$42 billion on 36 million working couples, I am pleased to yield 2½ minutes to the distinguished gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, the previous speaker, the gentleman from California, asked, what are our priorities, and asked us to focus on fiscal discipline and fiscal responsibility.

Yes, our priorities include making sure that Social Security is secure for all generations and that we preserve Medicare and add prescription drug

coverage. In so doing, I would remind the gentleman that we are the only people who have put forth in the past a budget to keep that fiscal responsibility.

But my responsibilities also include, and my priorities include, families and keeping them strong as the bulwark of America. When we do that, the big fear that I have is that my children, when they come to me later on and they decide that they have found someone they want to spend the rest of their life with, because I have taught them about fiscal responsibility, they will say to me, dad, I can save \$1,400 if we just live together and do not get married, and we can use this \$1,400 a year on all kinds of good and wonderful things, because I have taught them to be fiscally responsible.

That is not a question I want to have. We have to take care of Social Security and Medicare. We should not be doing that on the backs of American families. This is not about whether we are spending Social Security; this is about whether we value and put a priority on families as the basis of our American life. I would encourage Members to oppose the substitute and support eliminating permanently the marriage penalty on American families.

Mr. MATSUI. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, again, I just want to reiterate some numbers here before the last speaker closes, if I may.

At this time, we have tapped into the Social Security trust fund, in other words, money that is payroll tax, money that people think is going into a trust account to pay for their retirement benefits, by \$1.7 trillion. That includes debt service, and it includes spending programs that we will have over the next 2 or 3 months.

If we extend the tax cut, if we pay for the defense bill, the farm bill, the President's Medicare proposal in terms of his prescription drug proposal, we could add to that another \$1.5 trillion, and make a total of \$3.2 trillion.

If in fact we do those things, and I think most people will agree we are going to have to do many of these things, we are going to make it impossible to solve the Social Security problem in America. We are going to make it impossible to make sure that we continue benefits for our senior citizens.

It is my hope that good judgment and common sense will finally come to us in this institution. If in fact we are going to deal with something 8 years down the road, at least we ought to have the common sense, Mr. Speaker, to make sure that it does not further invade and raid the Medicare and Social Security trust fund.

The only way we are going to be able to do that on this bill, Mr. Speaker, is if in fact we support my substitute, which basically says that we will let this marriage penalty relief go into effect in 2011; however, the Director of the Office of Management and Budget must certify that no funds over that 10-

year period will invade the Social Security trust fund, as we are doing now.

It is my hope, Mr. Speaker, that we vote for this substitute and turn down final passage of the bill if my substitute fails.

Mr. Speaker, I yield the balance of my time, which I believe is 5 minutes, to the distinguished gentleman from Texas (Mr. TURNER).

□ 1330

Mr. TURNER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, it is time for this Congress to start being honest with the American people. Last June I was among a majority of this House that voted for the largest tax cut in the history of this country. The official estimate at that time of the surplus were that we could anticipate over \$5 trillion in surpluses over the decade. We spent half of that on the tax cut. Here we are just one year later and the balance of that surplus is gone. In fact, the projections are that we have deficits as far as the eye can see. The question that we should be debating on this floor today is not how many additional tax cuts can we give, but the issue we should be debating is who is going to pay the bills.

We all have stood united with our President, Democrats and Republicans alike, in a commitment to fund whatever is necessary to win this war on terrorism and to protect the security of the homeland. But my Republican colleagues refuse to acknowledge that we should not only vote to spend the money for the war, but that we should be willing to pay the bills for this war. Instead, they bring a new tax cut on the floor every week. You would think that September 11 has never happened. We have called to the young men and women in uniform serving in far-off places to be willing to make the ultimate sacrifice for our freedom, but we, we in this Congress have refused to tell the American people that they too must be ready to share in the sacrifice by at least being willing to pay the bills.

Instead, the Republican majority has said to America's younger generations, we will leave the bills to you.

We should not ask the young men and women in uniform to go fight this war and then come home in their income-earning years and to have to be stuck paying the bill for the war they fought. Nor should we be telling the next generations of seniors that we are going to use their retirement funds, the Social Security trust funds, to pay for this war.

Never in the history of our Nation have we cut taxes in the midst of war. The way we are headed, this Republican administration will have the largest increase in spending of any administration in our history and will have the largest increase in debt. And somebody owes it to the American people to tell them why and to tell them that sacrifice goes beyond the duties of

those young men and women in uniform to the American people.

If we really believe in protecting those young men and women fighting in far-off places, if we really believe in supporting the FBI and the CIA and the law enforcement community that is fighting this war on terrorism, we should be willing to pay the bill.

I will be happy to give additional tax relief to any American family just as soon as we can tell those American families that it will not be done with money borrowed from your seniors' retirement funds and it will not be done with money borrowed from the public, because today that is exactly what our Republican friends propose.

If we really believe in the great cause to which we are now engaged, let us be honest with the American people and tell them that the surplus is gone, that the bill collector is at the door, and this generation must be willing to make the same sacrifices made by the greatest generation during the Second World War.

The bill I am voting for today will give tax cuts whenever the official estimate of our Congressional Budget Office says that we can do it without borrowing money on the credit card of the next generation. A vote for the Democratic substitute is the only honest vote and it is the only way to really stand with the troops fighting for this Nation in far-off places today.

Mr. WELLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me state that to begin with, I rise in opposition to the Democratic substitute and I would note, as the previous speaker noted, that the right to raise taxes is being handed off to an unelected bureaucrat by the Democratic substitute. And under our Constitution, under the Constitution, all revenue and spending initiatives must originate right here in this House of Representatives. And previously when the line-item veto was passed by this Congress and proposed and then passed into law by the Congress, the Supreme Court ruled that at that time the Congress was handing off legislative power to the executive branch and overturned that initiative by the Congress. That is very similar to what our Democratic friends are doing.

Today they are actually giving an unelected public servant or bureaucrat the right to raise taxes. What that would entail would be a \$42 billion tax increase. And what could trigger that tax increase on 36 million married working couples is an uncontrollable urge by Congress to spend. There are some in this House who like to spend. They are usually the ones who argue against eliminating the marriage tax penalty. And if they could force a spending increase without even having to vote on it under this measure, they would also cause an automatic tax increase on 36 million married working couples. That alone is primary reason to vote no on the Democrat substitute.

Let me give you an example of a couple here who really illustrate why we need to make permanent our effort to eliminate the marriage tax penalty. When we worked to eliminate the marriage tax penalty over the last several years, we asked a very basic question, that is, is it right, is it fair, that under our Tax Code that a married working couple, husband and wife, both in the workforce, who are married, pay higher taxes than an identical couple who live together outside of a marriage? We have decided that is wrong, and I think we agree it is wrong for our Tax Code to punish our society's most basic institution, which is marriage.

The example I have is a young couple from Joliet, Illinois, Jose and Magdalene Castillo. They have a young son, Eduardo, a young daughter, Carolina. He makes about \$57,000. She makes about \$25,000. They have a combined income of \$82,000. And prior to the Bush tax cut being signed into law last year, which included our effort to eliminate the marriage tax penalty, the Castillo family paid \$1,125 more in higher taxes just because they are married. In Joliet, Illinois, in the area I represent, \$1,125 is a lot of money. To some here in Congress it is chump change. We are talking millions and billions and trillions most of the time here. But for couples and families like the Castillos, \$1,125 is several months' worth of car payments. It is several months' worth of daycare for Eduardo and Carolina when mom and dad are at work. It is money that can be set aside for their college education. That is the choice we have to make today. Because if we fail to make the marriage tax penalty elimination permanent, Jose and Magdalene Castillo will once again have to pay \$1,125 more in higher taxes. And for them, that was 12 percent of their tax bill. So just the marriage tax penalty elimination in the Bush tax cut alone lowers the Castillo family's tax burden by 12 percent. That is money they can spend to take care of their own family's needs, rather than spending here in Washington.

Every time we brought this effort to eliminate this marriage tax penalty on the floor, there have been those on the other side of the aisle who come up with excuse after excuse of why we should wait, why we should delay, and why we should eliminate the marriage tax penalty right now. They are always for it but let us do it later.

Well, today we will have the opportunity to make permanent the elimination of the marriage tax penalty. That is the question. Do we impose a \$42 billion tax increase on 36 million married working couples.

Mr. WATTS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from Oklahoma.

Mr. WATTS of Oklahoma. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I have been listening to this debate for some time. Again, I find

it so fascinating that so many would be opposed to giving the American people some of their money back to buy their kids school clothes or help put food on the table or help pay the car insurance. All of these things are very important to people and I think it should be important to Members of Congress.

It is interesting, just some facts behind the eliminating the marriage tax. A vote against this bill is a vote to raise taxes on over 20 million married couples. A vote against this bill is a vote to raise taxes on over 3.9 million married Americans of African descent, African American couples. And the marriage penalty, this penalty that you have worked very hard to eliminate, this penalty hits middle income married couples the hardest. I think it is important that we eliminate this.

As we know, we get taxed every time we turn around. We get taxed when we turn on our lights. We get taxed when we put gas in our cars. We get taxed when we eat lunch. We get taxed when we eat brunch. Moms are taxed when they are taking their kids to Little League ballgames, when they get in their car and they stop at the local 7-Eleven to get fuel or to get oil. Dads are taxed when they try to save a few bucks for retirement in order to provide for the families. And grandma and grandpa are taxed for having the audacity to die. They get taxed. So we get taxed from the time we get up in the morning, late at night when we go to bed and we kiss our wife good night, and we think that is free, but it is not, because of this unfair, arcane marriage tax.

I commend the gentleman from Illinois (Mr. WELLER) for fighting to eliminate this tax. Love and marriage goes together like a horse and a carriage. Marriage and taxes go together like a mosquito at a picnic. So we need to eliminate this tax. Again, I commend the gentleman.

My wife thinks it is taxing enough to be married to me, and she says she thinks it is unfair that there is such a thing as a marriage tax. And I appreciate very much the gentleman working hard to eliminate this tax. It is the right thing to do. And I hope that Members of Congress will give married couples in America a break and allow them to keep another \$1,400, \$1,500 per year to do what they need to do with it, not what their Member of Congress in Washington, DC thinks needs to be done with it.

Mr. WELLER. Reclaiming my time from the distinguished gentleman from Oklahoma (Mr. WATTS), I think he summarized it very well. That is what this vote is all about.

A vote for the Democratic substitute is a vote for an automatic tax increase that Congress has hands off of. We spend too much. We trigger a tax increase without having to vote on it is what the Democrats are proposing. That would be a \$42 billion tax increase on 36 million married working couples. Hard-working couples like Jose and

Magdalene Castillo who it would cost at least \$1,125 more in higher taxes if we allow the marriage tax penalty to come back.

That is the debate today. Do we make permanent our efforts to eliminate the marriage tax penalty or do we raise taxes on the married couples. What the Democrats are proposing is an automatic tax increase on 36 million married working couples. So I urge a no vote on the Democrat substitute. I also urge a no vote if the Democrats offer a motion to recommit, and I ask for a bipartisan aye vote in favor of permanently eliminating the marriage tax penalty on final passage.

Mr. TERRY. Mr. Speaker, I rise in opposition to the Democrat substitute and in strong support of the underlying bill.

Last May 26th, I voted with 239 of my colleagues to scrap the marriage penalty once and for all. We didn't vote to phase it out over 10 years and then bring it back; we voted to get rid of it. Why? Because, above all, our tax code must be fair.

Is it fair to tax marriage? Is it fair for me to tell my communications director that when he gets married next weekend, aside from paying for the invitations, caterer, photographer, music, and reception hall, he's going to have to pay an additional \$1400 in taxes if we do not make this tax cut permanent? What kind of message are we sending to the American people when we can afford pork barrel projects like tattoo removal programs, but are not willing to invest in marriage? Well, how's this for bringing home pork: if we strike down this substitute and vote for the underlying bill, \$81.2 million will return home to the 58,000 couples in the Second District of Nebraska. That way, they can spend their money the way they want.

I keep hearing from the other side of the aisle that tax cuts cost money. Who does it cost? It certainly costs 175,000 couples in my state of Nebraska, who every year pay the marriage penalty. But it doesn't cost the Federal Government anything, because for something to cost you money, you actually have to have it first. What the Democrat substitute is really saying is, "Without the marriage penalty, tax and spenders in Washington will have less money to spend."

If we do not continue to work to make provisions of President Bush's tax cut permanent—like we did last week with the death tax, like we're doing now with the marriage penalty, like we'll do next week with retirement benefits—the American taxpayers will experience the single greatest tax increase in U.S. history: more than \$380 billion from 2011 to 2012. How can Democrats possibly justify that?

Mr. Speaker, this tax is unfair, unnecessary, and irresponsible. It defies American morals, it defies logic, and it flies in the face of family values. It is everything that is wrong with government. Vote against this substitute and make a pro-family, pro-marriage, and pro-common sense vote for the underlying bill.

Mr. WELLER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 440, the previous question is ordered on the bill and on the amendment in the nature of a substitute offered by the gentleman from California (Mr. MATSUI).

The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. MATSUI).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MATSUI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 198, nays 213, answered "present" 1, not voting 22, as follows:

[Roll No. 228]

YEAS—198

Abercrombie	Hastings (FL)	Oberstar
Ackerman	Hill	Obey
Allen	Hilliard	Olver
Andrews	Hinchee	Ortiz
Baca	Hinojosa	Pallone
Baird	Hoeffel	Pascarell
Baldacci	Holden	Pastor
Baldwin	Holt	Payne
Barrett	Honda	Pelosi
Becerra	Hooley	Phelps
Bentsen	Hoyer	Pomeroy
Berkley	Inslee	Price (NC)
Berman	Israel	Rahall
Berry	Jackson (IL)	Rangel
Bishop	Jackson-Lee	Reyes
Blumenauer	(TX)	Rivers
Bonior	Jefferson	Rodriguez
Borski	John	Roemer
Boswell	Johnson, E. B.	Ross
Boucher	Kennedy (RI)	Rothman
Boyd	Kildee	Roybal-Allard
Brady (PA)	Kilpatrick	Rush
Brown (FL)	Kind (WI)	Sabo
Brown (OH)	Kleczka	Sanchez
Capps	Kucinich	Sanders
Capuano	LaFalce	Sandlin
Cardin	Lampson	Sawyer
Carson (IN)	Langevin	Schakowsky
Carson (OK)	Lantos	Schiff
Clay	Larsen (WA)	Scott
Clement	Larson (CT)	Serrano
Clyburn	Lee	Sherman
Condit	Levin	Shows
Conyers	Lewis (GA)	Skelton
Costello	Lipinski	Slaughter
Coyne	Lofgren	Smith (WA)
Cramer	Lowe	Snyder
Crowley	Lucas (KY)	Solis
Cummings	Luther	Spratt
Davis (CA)	Lynch	Stark
Davis (FL)	Maloney (CT)	Stenholm
Davis (IL)	Maloney (NY)	Strickland
DeFazio	Markey	Stupak
DeGette	Mascara	Tanner
Delahunt	Matheson	Tauscher
DeLauro	Matsui	Taylor (MS)
Dicks	McCarthy (MO)	Thompson (CA)
Dingell	McCarthy (NY)	Thompson (MS)
Dooley	McCollum	Thurman
Doyle	McDermott	Tierney
Edwards	McGovern	Towns
Engel	McIntyre	Turner
Eshoo	McKinney	Udall (CO)
Etheridge	McNulty	Udall (NM)
Evans	Meehan	Velazquez
Farr	Meek (FL)	Visclosky
Fattah	Meeks (NY)	Waters
Ford	Menendez	Watson (CA)
Frank	Millender	Watt (NC)
Frost	McDonald	Waxman
Gephardt	Miller, George	Weiner
Gonzalez	Mink	Wexler
Gordon	Moore	Wilson (NM)
Green (TX)	Moran (VA)	Woolsey
Gutierrez	Nadler	Wu
Hall (TX)	Napolitano	Wynn
Harman	Neal	

NAYS—213

Aderholt	Goss	Peterson (PA)
Akin	Graham	Petri
Armey	Granger	Pickering
Bachus	Graves	Pitts
Baker	Green (WI)	Platts
Ballenger	Greenwood	Pombo
Barcia	Grucci	Portman
Barr	Gutknecht	Pryce (OH)
Bartlett	Hansen	Putnam
Barton	Hart	Radanovich
Bass	Hastings (WA)	Ramstad
Bereuter	Hayes	Regula
Biggert	Hayworth	Rehberg
Blirakis	Hefley	Reynolds
Blunt	Hobson	Riley
Boehler	Hoekstra	Rogers (KY)
Boehner	Horn	Rogers (MI)
Boozman	Hostettler	Rohrabacher
Brady (TX)	Hulshof	Ros-Lehtinen
Brown (SC)	Hunter	Roukema
Bryant	Hyde	Royce
Burr	Isakson	Ryan (WI)
Buyer	Issa	Ryun (KS)
Callahan	Istook	Saxton
Calvert	Jenkins	Schaffer
Camp	Johnson (CT)	Schrock
Cannon	Johnson (IL)	Sensenbrenner
Cantor	Johnson, Sam	Sessions
Capito	Jones (NC)	Shadegg
Castle	Kanjorski	Shaw
Chabot	Keller	Shays
Chambliss	Kelly	Sherwood
Coble	Kennedy (MN)	Shimkus
Collins	Kerns	Shuster
Cooksey	King (NY)	Simmons
Crane	Kingston	Simpson
Crenshaw	Kirk	Skeen
Cubin	Knollenberg	Smith (MI)
Culberson	Kolbe	Smith (NJ)
Cunningham	LaHood	Souder
Davis, Jo Ann	Latham	Stearns
Davis, Tom	LaTourette	Stump
Deal	Leach	Sullivan
DeLay	Lewis (CA)	Sununu
DeMint	Lewis (KY)	Sweeney
Diaz-Balart	Linder	Tancredo
Doggett	LoBiondo	Tauzin
Doolittle	Lucas (OK)	Taylor (NC)
Dreier	Manzullo	Terry
Duncan	McCrery	Thomas
Dunn	McHugh	Thornberry
Ehlers	McKeon	Thune
Ehrlich	Mica	Tiahrt
Emerson	Miller, Dan	Tiberi
English	Miller, Gary	Toomey
Everett	Miller, Jeff	Upton
Ferguson	Mollohan	Vitter
Flake	Moran (KS)	Walden
Fletcher	Morella	Walsh
Foley	Murtha	Wamp
Fossella	Myrick	Watkins (OK)
Frelinghuysen	Nethercutt	Watts (OK)
Gallely	Ney	Weldon (FL)
Ganske	Northup	Weldon (PA)
Gekas	Norwood	Weller
Gibbons	Nussle	Whitfield
Gilchrest	Osborne	Wicker
Gillmor	Ose	Wilson (SC)
Gilman	Otter	Wolf
Goode	Oxley	Young (AK)
Goodlatte	Paul	Young (FL)

ANSWERED "PRESENT"—1

Filner

NOT VOTING—22

Blagojevich	Forbes	Owens
Bonilla	Hall (OH)	Pence
Bono	Herger	Peterson (MN)
Burton	Hilleary	Quinn
Clayton	Houghton	Smith (TX)
Combest	Jones (OH)	Traficant
Cox	Kaptur	
Deutsch	McInnis	

□ 1407

Mrs. JO ANN DAVIS of Virginia changed her vote from "yea" to "nay."

Ms. WATERS changed her vote from "nay" to "yea."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized.

Mr. THOMAS. Mr. Speaker, under the rules of the House, does the minority have the right to offer a motion to recommit?

The SPEAKER pro tempore. Yes, prior to the final passage of the bill.

The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. MATSUI: Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 271, noes 142, not voting 21, as follows:

[Roll No. 229]

AYES—271

Abercrombie	Davis (CA)	Hoekstra
Aderholt	Davis (FL)	Holden
Akin	Davis, Jo Ann	Holt
Armey	Davis, Tom	Hooley
Baca	Deal	Horn
Bachus	DeFazio	Hostettler
Baird	DeLay	Hulshof
Baker	DeMint	Hunter
Ballenger	Diaz-Balart	Hyde
Barcia	Doolittle	Isakson
Barr	Dreier	Israel
Barrett	Duncan	Issa
Bartlett	Dunn	Istook
Barton	Edwards	Jefferson
Bass	Ehlers	Jenkins
Bereuter	Ehrlich	John
Berkley	Emerson	Johnson (CT)
Biggert	Engel	Johnson (IL)
Bilirakis	Etheridge	Johnson, Sam
Bishop	Everett	Jones (NC)
Blunt	Ferguson	Keller
Boehlert	Flake	Kelly
Boehner	Fletcher	Kennedy (MN)
Bonilla	Foley	Kerns
Bonior	Ford	King (NY)
Boozman	Fossella	Kingston
Boswell	Frelinghuysen	Kirk
Boucher	Galleghy	Knollenberg
Brady (TX)	Ganske	Kolbe
Brown (SC)	Gekas	LaHood
Bryant	Gibbons	Latham
Burr	Gilchrest	LaTourette
Buyer	Gillmor	Leach
Callahan	Gilman	Lewis (CA)
Calvert	Goode	Lewis (KY)
Camp	Goodlatte	Linder
Cannon	Gordon	Lipinski
Cantor	Goss	LoBiondo
Capito	Graham	Lucas (KY)
Capps	Granger	Lucas (OK)
Carson (OK)	Graves	Luther
Castle	Green (WI)	Maloney (CT)
Chabot	Greenwood	Manzullo
Chambliss	Grucci	Mascara
Clement	Gutknecht	Matheson
Coble	Hall (TX)	McCarthy (NY)
Collins	Hansen	McCrery
Condit	Harman	McHugh
Cooksey	Hart	McIntyre
Costello	Hastings (WA)	McKeon
Cox	Hayes	McKinney
Cramer	Hayworth	Meeks (NY)
Crane	Hefley	Mica
Crenshaw	Herger	Miller, Dan
Cubin	Hilliard	Miller, Gary
Culberson	Hinojosa	Miller, Jeff
Cunningham	Hobson	Mink

Moore	Rogers (KY)	Sweeney
Moran (KS)	Rogers (MI)	Tancredo
Moran (VA)	Rohrabacher	Tauzin
Morella	Ros-Lehtinen	Taylor (NC)
Myrick	Ross	Terry
Nethercutt	Roukema	Thomas
Ney	Royce	Thornberry
Northup	Ryan (WI)	Thune
Norwood	Ryun (KS)	Tiahrt
Nussle	Sandlin	Tiberi
Osborne	Saxton	Toomey
Ose	Schaffer	Towns
Otter	Schrock	Udall (CO)
Oxley	Sensenbrenner	Upton
Paul	Sessions	Vitter
Peterson (PA)	Shadegg	Walden
Petri	Shaw	Walsh
Phelps	Shays	Wamp
Pickering	Sherwood	Watkins (OK)
Pitts	Shimkus	Watts (OK)
Platts	Shows	Weldon (FL)
Pombo	Shuster	Weldon (PA)
Pomeroy	Simmons	Weller
Portman	Simpson	Whitfield
Pryce (OH)	Skeen	Wicker
Putnam	Skelton	Wilson (NM)
Radanovich	Smith (MI)	Wilson (SC)
Ramstad	Smith (NJ)	Wolf
Regula	Snyder	Wu
Rehberg	Souder	Wynn
Reyes	Stearns	Young (AK)
Reynolds	Stump	Young (FL)
Riley	Sullivan	
Roemer	Sununu	

NOES—142

Ackerman	Honda	Pallone
Allen	Hoyer	Pascarell
Andrews	Inslee	Pastor
Baldacci	Jackson (IL)	Payne
Baldwin	Jackson-Lee	Pelosi
Becerra	(TX)	Price (NC)
Bentsen	Johnson, E. B.	Rahall
Berman	Kanjorski	Rangel
Berry	Kaptur	Rivers
Blumenauer	Kennedy (RI)	Rodriguez
Borski	Kildee	Rothman
Boyd	Kilpatrick	Roybal-Allard
Brady (PA)	Kind (WI)	Rush
Brown (FL)	Klecza	Sabo
Brown (OH)	Kucinich	Sanchez
Capuano	LaFalce	Sanders
Cardin	Lampson	Sawyer
Carson (IN)	Langevin	Schakowsky
Clay	Lantos	Schiff
Clyburn	Larsen (WA)	Scott
Conyers	Larson (CT)	Serrano
Coyne	Lee	Sherman
Crowley	Levin	Slaughter
Cummings	Lewis (GA)	Smith (WA)
Davis (IL)	Lofgren	Solis
DeGette	Lynch	Spratt
Delahunt	Maloney (NY)	Stark
DeLauro	Markey	Stenholm
Dicks	Matsui	Strickland
Dingell	McCollum	Stupak
Doggett	McDermott	Tanner
Dooley	McGovern	Tauscher
Doyle	McNulty	Taylor (MS)
Eshoo	Meehan	Thompson (CA)
Evans	Meek (FL)	Thompson (MS)
Farr	Menendez	Thurman
Fattah	Millender-	Tierney
Filner	McDonald	Turner
Frank	Miller, George	Udall (NM)
Frost	Mollohan	Velazquez
Gephardt	Murtha	Visclosky
Gonzalez	Nadler	Waters
Green (TX)	Napolitano	Watson (CA)
Gutierrez	Neal	Watt (NC)
Hastings (FL)	Oberstar	Waxman
Hill	Obey	Weiner
Hinchey	Olver	Wexler
Hoeffel	Ortiz	Woolsey

NOT VOTING—21

Blagojevich	Forbes	McInnis
Bono	Hall (OH)	Owens
Burton	Hilleary	Pence
Clayton	Houghton	Peterson (MN)
Combest	Jones (OH)	Quinn
Deutsch	Lowey	Smith (TX)
English	McCarthy (MO)	Trafigant

□ 1425

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, due to a commitment to participate as a delegate at the Indiana Republican State Convention, I was unable to be in Washington, DC during rollcall votes 226–229. Had I been here I would have voted “yea” on rollcall votes 226 and 227, “no” on rollcall vote 228 and “yea” on rollcall vote 229.

#### PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall vote No. 226, No. 227, No. 228 and No. 229. Had I been present, I would have voted “yea” on rollcall vote No. 226, “yea” on rollcall vote No. 227, “yea” on rollcall vote No. 228 and “yea” on rollcall vote No. 229.

#### GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill just passed.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from California?

There was no objection.

#### LEGISLATIVE PROGRAM

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, I yield to the distinguished gentleman from Texas for the purpose of inquiring about the schedule for next week.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week.

The House will next meet for legislative business on Monday, June 17, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. I will schedule a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. Recorded votes on Monday will be postponed until 6:30 p.m.

On Tuesday and the balance of the week, I have scheduled the following measures for consideration in the House:

H.R. 327, the Small Business Paperwork Relief Act;

H.R. 2114, the National Monument Fairness Act of 2002;

H.R. 3389, the National Sea Grant College Program Act Amendments of 2002;

H.R. 1979, the Airport Safety, Security and Air Service Improvement Act; and

The Retirement Savings Security Act of 2002.

Mr. Speaker, the Speaker also advises me that he expects to be ready to

name conferees for an omnibus trade bill, which I would expect to schedule next week as well; and the Speaker further advises me that, in consultation with the minority leader, he expects to bring a resolution to the floor related to the establishment of a select committee on homeland security.

I thank the gentlewoman for yielding.

Ms. PELOSI. I thank the distinguished majority leader. I have some further questions.

On what days will the following be scheduled: the appointment of the fast track conferees? trade promotion authority conferees?

Mr. ARMEY. I expect that would probably happen on Tuesday.

Ms. PELOSI. And then the Monument Fairness Act, Mr. Leader?

Mr. ARMEY. Wednesday.

Ms. PELOSI. And airport towers legislation?

Mr. ARMEY. That would be Wednesday as well.

Ms. PELOSI. And pension reform?

Mr. ARMEY. That would be Thursday.

Ms. PELOSI. Mr. Leader, are there definitely going to be votes next Friday?

Mr. ARMEY. I appreciate the gentlewoman's inquiry. As the week is shaping up, the kind of work we see coming available to us, I think we should have to expect to be here for votes on Friday of next week.

Ms. PELOSI. I appreciate that. I do have one other question. I unfortunately do not see on the schedule a date for the prescription drug legislation to be scheduled. I have been hearing over and over that it is coming up soon, it is coming up soon. As you know, Mr. Leader, the need is great. We have been hearing that the majority is going to schedule this legislation for months. We need a real Medicare benefit that protects our seniors from the huge cost of prescription drugs. Every day is important to them. I would like to ask the majority leader what the plan is for bringing a prescription drug benefit under Medicare to the floor.

Mr. ARMEY. Again I want to thank the gentlewoman for her inquiry.

The gentlewoman from California, Mr. Speaker, is exactly right. This is indeed very important to so many citizens in America, and we have two committees that are working on it and working with one another, the Committee on Ways and Means and the Committee on Energy and Commerce. I am told that the Committee on Energy and Commerce has already scheduled a markup for next week and have every reason to expect the bill to be on the floor before we retire to our districts for the July 4th work period.

Ms. PELOSI. Mr. Speaker, I appreciate the gentleman's information.

□ 1430

#### ADJOURNMENT TO MONDAY, JUNE 17, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Texas?

There was no objection.

#### HOUR OF MEETING ON TUESDAY, JUNE 18, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, June 17, 2002, it adjourn to meet at 10:30 a.m. on Tuesday, June 18, 2002, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### HAPPY FATHER'S DAY

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that it be the unanimous will of this body that every father in America have a glorious Father's Day.

The SPEAKER pro tempore. The Chair thanks the majority leader.

#### EXPRESSING SUPPORT FOR U.S. WITHDRAWAL FROM ANTI-BALLISTIC MISSILE TREATY

(Mr. YOUNG of Alaska asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. YOUNG of Alaska. Mr. Speaker, today I rise to introduce a resolution that would express support for President George W. Bush's withdrawal of the United States from the 1972 Anti-Ballistic Missile Treaty. Today marks the conclusion of the 6-month notification of the withdrawal from the ABM Treaty by the United States.

My legislation reaffirms that the United States' national security has fundamentally changed since 1972. Not only do the Russians and Chinese have ballistic missile arsenals that are capable of reaching the United States, but so do a growing number of countries

that are hostile to the United States' interests, such as North Korea, Iran and Iraq.

This resolution simply says that the Congress supports the decision by the President to withdraw the United States from the ABM Treaty in accordance with article 15 of the treaty. It also states that Congress supports efforts to provide for the establishment of a robust layered missile defense system to protect the United States and its allies.

Very frankly, the United States faces new and complex threats. September 11, 2001, showed the new threats to our national security and the potential threats we face by more than 32 countries that are working on ballistic missile development. The new threats involve states with considerably fewer missiles with less accuracy, yield, reliability and range. However, emerging ballistic missile systems can potentially kill tens of thousands, or even millions, of Americans, depending on the warhead and intended target.

I believe we cannot allow these countries to use ballistic missiles as instruments of blackmail against the United States and its allies. The way we can and must defend our homeland is through the development of a layered missile defense system, a layered system that would violate the terms of the ABM Treaty.

Clearly, the day has come to withdraw from this dated and ineffective document that was created more than 30 years ago during a different time and under different conditions than those that face our national security today.

I would also like to submit the following sponsors: The gentleman from California (Mr. HUNTER), the gentleman from Florida (Mr. JEFF MILLER), the gentleman from Indiana (Mr. HOSTETTLER), the gentleman from Alabama (Mr. ADERHOLT), the gentleman from North Carolina (Mr. JONES), the gentleman from Pennsylvania (Mr. WELDON), the gentleman from North Carolina (Mr. HAYES), the gentleman from Illinois (Mr. HYDE), and the gentleman from Oklahoma (Mr. WATTS).

#### ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 2114, NATIONAL MONUMENT FAIRNESS ACT

Mr. DREIER. Mr. Speaker, today a Dear Colleague was sent to all Members informing them that the Committee on Rules is planning to meet the week of June 17 to grant a rule which may limit the amendment process on H.R. 2114, the National Monument Fairness Act. The bill was ordered reported by the Committee on Resources on March 20 and the committee report was filed on April 15.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H-312 in

the Capitol no later than 12 noon this coming Tuesday, June 18. Amendments should be drafted to the text of H.R. 2114 as ordered reported by the Committee on Resources.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

#### CELEBRATING THE 227TH BIRTHDAY OF THE U.S. ARMY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, tomorrow will mark the 227th birthday of the United States Army, the most powerful ground force the world has ever known. Since June 14, 1775, the Army has always been prepared for defense of freedom and democracy. Today, our brave soldiers are on the front lines defending the American people in the war on terrorism.

As we recognize and celebrate the Army's birthday and reflect on this great institution, a simple truth arises: one of the world's greatest professions is the Profession of Arms, and one of the greatest callings is theirs, serving our Nation. Thanks to American soldiers, freedom's light shines as a beacon throughout the world.

Just yesterday, we were reminded of the dangers these men and women have volunteered to accept, as we learned of three American military that died in a plane crash. These are not only soldiers fighting on some distant soil, they are sons and daughters, sisters and brothers, mothers and fathers. The courage and dedication of those who serve so honorably in the United States Army, Active, Guard and Reserve, is an inspiration to us all.

#### SECURING OUR HOMELAND

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, as my colleague from South Carolina has just chosen to recognize the 227th anniversary of the United States Army, I think it is important for us to note that President Bush has come forward with a very important proposal.

We saw, as the gentleman from South Carolina (Mr. WILSON) mentioned, the tragic loss of life in this war on terrorism that has just taken place, and we continue to see this struggle move forward. Just yesterday the President made it very clear in his statement, we are in the midst of a war on terrorism, and that war has been brought to our homeland.

The President has, I believe, come forward with an extraordinarily bold proposal. That proposal is designed to

ensure that the Federal Government, working in concert with State and local governments, is in a position to secure our homeland. For the first time, we have seen men and women in uniform now fighting international conflicts, not simply as men and women wearing military uniforms. We have seen firefighters and law enforcement officers on the front line in this struggle.

The President's proposal for homeland security and establishing a new Department is a right one; and I hope very much that we are going to do the right thing, be careful about it, but do it just as expeditiously as possible.

#### COMMUNICATION FROM DISTRICT DIRECTOR OF HON. ROGER F. WICKER, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. KELLER) laid before the House the following communication from Harold "Bubba" Lollar, District Director of the Honorable ROGER F. WICKER, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 11, 2002.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have been served with a subpoena for testimony issued by the Lee County Youth Court, Tupelo, Mississippi.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

With best wishes, I am

Sincerely,  
HAROLD "BUBBA" LOLLAR,  
*District Director.*

#### COMMUNICATION FROM CHIEF OF STAFF OF HON. GARY A. CONDIT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Mike Lynch, Chief of Staff of the Honorable GARY A. CONDIT, Member of Congress:

GARY A. CONDIT,  
CONGRESS OF THE UNITED STATES,  
*House of Representatives, June 11, 2002.*

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

MIKE LYNCH,  
*Chief of Staff.*

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### MEDAL OF HONOR FOR SERGEANT GARY MCKIDDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, as our Nation fights a war overseas, we once again see firsthand how the loss of a loved one to war affects family members and friends and those who are left behind.

Over 30 years ago, too many families went through the experience of losing a loved one to the Vietnam War. One such family was that of Gary McKiddy. Sergeant McKiddy was a helicopter crew chief and gunner with the 1st Cavalry Division of the Army during the Vietnam War. He volunteered for the Army when he was just 19 years of age and specifically requested that he join his country's soldiers in Vietnam.

Gary quickly earned the deepest respect of his fellow crewmen for the patriotism that he showed as he went into battle and the courage with which he fought. Gary won his first medal on his first mission, and he continued to serve in this courageous and honorable way until his death. Gary McKiddy had a reputation among his fellow men for rising to any challenge and putting loyalty and honor at the heart of his service. One man who served alongside Gary once called him a credit to his country and one of the finest men he had ever met and served with in the Army.

Prior to his death he was awarded the Air Medal, the Army Commendation Medal with Oak Leaf Cluster for heroism, the National Defense Service Medal, the Vietnam Service Medal, the Aircraft Crewman Badge, and the Marksman Badge for his many heroic actions.

Yet his most courageous act came in Cambodia on May 6, 1970, when his helicopter came under intense enemy fire, receiving several damaging hits that ultimately caused the helicopter to crash. Gary McKiddy was thrown from the aircraft, but he immediately returned to rescue a co-pilot, Specialist Four James R. Skaggs, taking him to safety and saving his life.

Despite intense heat and flames and tremendous risk to his life, Gary then returned to the helicopter a second time and attempted to save the pilot. Tragically, the helicopter's fuel tank then exploded and both the pilot and Gary were killed. Sergeant Gary McKiddy was posthumously awarded the Silver Star, the Bronze Star Medal, the Air Medal, the Purple Heart, and the Good Conduct Medal for his actions that fateful day. There is no doubt that his bravery and self-sacrifice earned him this recognition; yet he was denied the Medal of Honor.

I feel very strongly, Mr. Speaker, that Sergeant McKiddy should receive the Medal of Honor for all his heroic actions and particularly for his selfless rescue of Specialist Skaggs and his courageous attempt to rescue his pilot.

I have no doubt that his actions qualify him for this award. After all, if saving someone's life does not earn one the Medal of Honor, then what does? Sergeant McKiddy made the ultimate sacrifice to fight for his country and protect his fellow man. His distinguished service deserves the highest honor. I know Sergeant McKiddy's family, and I know how much this honor would mean to them. After more than 30 years, they are as committed as ever to receiving the appropriate recognition of Gary's service. I too am committed to doing all that I can to ensure that Sergeant McKiddy receives the Medal of Honor. As a Vietnam-era veteran and the son of a World War II veteran, I know in my heart the honor in answering a nation's call to serve and the value of this service.

I have heard from Gary's relatives, his close friends, and the man he saved, Specialist Skaggs. They too know in their hearts the ultimate gift that Gary and our other lost soldiers gave to us. I believe the Army should reverse its decision and award Sergeant Gary McKiddy the Medal of Honor that he deserves, and I pledge to Gary's family and friends that I will continue to fight alongside them to see that Gary receives this honor. The Congressman from Dayton, Ohio (Mr. HALL), has been very active in this effort for many, many years, and we pledge together to work to make this happen.

May we all keep in our prayers those men and women who are serving our Nation overseas today. Like Gary, they show us through their courage and strength what it means to be an American.

#### HUNTINGTON'S DISEASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. WILSON) is recognized for 5 minutes.

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to draw attention to Huntington's Disease which affects approximately 30,000 people in the United States. Each child of a parent with Huntington's Disease has a 50 percent risk of inheriting the illness, meaning that there are 200,000 individuals who are at risk today. Huntington's Disease results from a genetically programmed degeneration of nerve cells in certain parts of the brain.

□ 1445

While medication is available to help control the symptoms of Huntington's Disease, sadly, there is no treatment to stop or reverse the course of the disease.

According to the Huntington's Disease Society of America, this disease is named for Dr. George Huntington who first described this hereditary disorder in 1872. Huntington's Disease is now recognized as one of the more common genetic disorders in America. Hunting-

ton's Disease affects as many people as hemophilia, cystic fibrosis and muscular dystrophy.

Early symptoms of Huntington's Disease may affect cognitive ability or mobility and include depression, mood swings, forgetfulness, clumsiness, involuntary twitching, and lack of coordination. As the disease progresses, concentration and short-term memory diminish and involuntary movements of the head, trunk and limbs increase. Walking, speaking, and swallowing abilities deteriorate. Eventually the person is unable to care for himself or herself. Death follows from complications such as choking, infection, or heart failure.

Huntington's Disease typically begins in mid-life between the ages of 30 and 45, though onset may occur as early as the age of 2. Children who develop the juvenile form of the disease rarely live to adulthood. Huntington's Disease affects men and women equally and crosses all ethnic and racial boundaries. Everyone who carries the gene will develop the disease. In 1993, the Huntington's Disease gene was isolated and a direct genetic test developed which can accurately determine whether a person carries the Huntington's Disease gene.

I would like to commend Dr. Ruth Abramson of Columbia, South Carolina for her leadership and dedication for conducting ongoing research to find a cure for Huntington's Disease at both the University of South Carolina School of Medicine and the South Carolina Department of Mental Health. I also want to commend my chief of staff, Eric Dell, and his courageous mother, Ouida Dell, for their efforts in fighting Huntington's Disease within their family.

I encourage the American people to be aware of their own family histories, to be aware of the issues in genetic testing, and to advocate for families with Huntington's Disease in their communities. I also call on my colleagues in the House to join in this effort to find a cure for those suffering from this disease.

To that extent, I would like to read this concurrent resolution about Huntington's Disease which I have introduced in the House of Representatives.

"Concurrent resolution. Whereas about 30,000 people in the United States suffer from Huntington's Disease; whereas each child of a parent with Huntington's Disease has a 50 percent risk of inheriting the illness; around 200,000 individuals are at risk; whereas Huntington's Disease results from a genetically programmed degeneration of nerve cells in certain parts of the brain; whereas this degeneration causes uncontrolled movements, loss of intellectual faculties, and emotional disturbances; whereas presymptomatic testing is available for those with a family history of Huntington's Disease, and medication is available to help

control the symptoms, yet there is no treatment to stop or reverse the course of the disease; whereas Congress as an institution and Members of Congress as individuals are in unique positions to help raise public awareness about the need for increased funding for research, detection, and treatment of Huntington's Disease and to support the fight against this disease:

"Now, therefore, be it resolved by the House of Representatives (the Senate concurring), that it is the sense of the Congress that subsection 1, all Americans should take an active role in the fight against Huntington's Disease by any means available to them, including being aware of their own family history, being aware of the issues in genetic testing, and advocating for families with Huntington's Disease in their communities and their States;

"Section 2, the role played by national community organizations and health care providers in promoting awareness should be recognized and applauded;

"And section 3, the Federal Government has a responsibility to, A, endeavor to raise awareness about the detection and treatment of Huntington's Disease; and B, increase funding for research so that a cure might be found."

Mr. Speaker, as May marked Huntington's Disease Awareness Month, we must do everything possible to ensure we search out hope for thousands of Americans by finding a cure for this disease.

The SPEAKER pro tempore (Mr. KELLER). Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON of Indiana addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)



GEPHARDT SPEECH TO WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS AND THE COUNCIL ON FOREIGN RELATIONS DESERVES CAREFUL STUDY BY HOUSE MEMBERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LANTOS) is recognized for 5 minutes.

Mr. LANTOS. Mr. Speaker, today I rise to bring to the attention of my colleagues a speech made last week by the gentleman from Missouri (Mr. GEPHARDT), the House of Representatives Democratic leader. He offered ideas for constructing a strong, bipartisan, long-term approach to the war on terrorism in a speech to the Woodrow Wilson International Center for Scholars and to the Council on Foreign Relations. As we have come to know and expect, our distinguished leader offered outstanding insights and thoughtful proposals for dealing with the urgent issues of our Nation's foreign policy.

Leader GEPHARDT outlined proposals to build consensus for military transformation so we can win the war on terrorism. He offered a 21st Century foreign policy to promote prosperity, democracy and universal education for stability and opportunity in the developing world. He proposed greater citizen involvement in all aspects of our public diplomacy. Leader GEPHARDT urged the administration to do more to strengthen international alliances that will help fight terrorism, and he called for the much faster development of a tough new homeland defense strategy.

Mr. Speaker, Leader GEPHARDT wisely stated in his speech that the goal of America's foreign policy in the 21st century should be "to promote the universal values of freedom, fairness and opportunity, which has never been more in America's self-interest. We should seek to lead a community of nations that are law-abiding, prosperous and democratic. Such a world would leave fewer places for terrorists to hide and more places for citizens across the globe to pursue life, liberty, and happiness."

The three qualities of this foreign policy, as Leader GEPHARDT points out, should be economic development, democracy, and universal education. These qualities are not only intimately interconnected and self-reinforcing, but they are critical to the achievement of long-term American security and prosperity and, more importantly, they are pragmatic, achievable, and cost-effective.

Mr. Speaker, I wish to point out an additional observation that Leader GEPHARDT made in his speech. He could not have been more correct when he said that "America must lead" and that "leadership is not a synonym for unilateralism." The recent U.S. foreign policy moves towards international agreements, multilateral institutions, and transnational issues such as the environment pose a threat to our ability to prosecute the war on terrorism

effectively by putting at risk the assistance and cooperation of other nations, including some of our closest allies. America must remain engaged and America must lead.

Leader GEPHARDT's ideas deserve the thoughtful consideration of all of us as we grapple with America's course in foreign policy. I am proud to enter a copy of the gentleman from Missouri (Mr. GEPHARDT)'s speech into the RECORD, and I urge all of my colleagues to give it the thorough reading and study it deserves.

BUILDING A NEW LONG-TERM STRATEGY FOR AMERICAN LEADERSHIP AND SECURITY

Today, we are gathering almost nine months after enemies of America killed more than 3,000 of our fellow citizens.

It has been eight months since America sent troops into battle in Afghanistan and five months since dialogue in the Middle East broke down and that region sank into destructive waves of suicide bombings.

Today, events continue to move swiftly, with momentous consequences for our nation and for the people of the world.

I believe now is the appropriate time to reflect on how we have gotten here, but much more importantly, where we must go.

Too often, issues of national security are considered separately—they are seen as fragmented, distinct disputes, such as: Must we prepare for two major simultaneous wars? What should be our diplomatic approach to the Middle East? Or will Americans back peacekeeping in some foreign land?

But it is also evident, when we take a step back, that these issues are profoundly intertwined, and that we must approach them from the single perspective of ensuring America's security.

The world in which we live is very different from the Cold War era, when a bipartisan group of "wise men" shaped our thinking. I do not need to talk very much about the trends that have remade our times—we live with them every day.

Globalization has made events in faraway places more relevant to use that ever before.

Information technology and the latest scientific revolution have changed the way we live and produced astonishing gains in productivity and knowledge.

And, of course, the crumbling of the Soviet empire has fundamentally changed the strategic face of the globe.

With the advent of each of these trends, the world has become closer, moved faster, and grown more interconnected.

Great wars have been followed by uneasy peace as America has struggled to create international arrangements to preserve harmony. After each war, America has debated how engaged it should be in world affairs; and when the peace has been broken, America has chosen to engage the world ever more closely.

I urge this Administration to build on this tradition of engagement, not turn away from it. Now is the time to take the long view of this challenge. We are often too focused on issues at the margins of the status quo. This is not going to be a short struggle or an easy one. In addition to all we are doing now, we will need to do more. We will need to make our military stronger, our homeland safer, and build alliances abroad to serve American interests.

We are engaged in a global conflict. We face a competition between governance and terror, between the great majority who benefit from order, and the small few who thrive on chaos.

The question today is whether a collection of nation states—committed to human val-

ues of democracy and freedom, the rule of law and tolerance—can succeed in a struggle against the ideology of fanaticism and extremism, an ideology that holds us to be the political, economic, and cultural enemy and states its desire to destroy America.

While we now have terrorist organizations on the run, we must acknowledge that in some ways they are succeeding in creating division. Enemies of America still flourish, sowing seeds of hatred for this country and reaping violence. Some terrorist groups are small in number, limited in visibility and short on supplies. Others find harbor in failed states or enjoy support from sympathetic regimes, utilizing sophisticated technology to hatch their murderous plots. This is a tough, complicated foe, one that should not be oversimplified or underestimated.

Over the past half-century, America's bipartisan policy of containment served to hem in and deter a singular, comparable adversary. Today, with smaller, less discernible enemies, we need a strategy that seeks not to wall off threatening parts of the world, but to engage potentially hostile regions.

We need to be prepared to deliver the most forceful military responses to provocation, but also to expand opportunities for peace and prosperity. With deference to George Kennan, the seminal work he did at the Council on Foreign Relations, and the institute here that bears his name, I believe such a policy could be called one of commitment. With determination as our guide, we must move forward with a unified approach:

A commitment to constantly updating the most effective military ever;

A commitment to being engaged diplomatically all over the world;

A commitment to making our homeland secure and involving our citizens and our leaders in the issues of the world.

President Bush was right Saturday to say we are fighting a new war and will have to be ready to strike when necessary, not just deter. But on the home front, we are moving too slowly to develop a homeland defense plan that is tough enough for this new war.

Let us be clear about the stakes in this struggle. As in all wars, the question is not just who shall govern, but also one of life itself. More than 3,000 people died on Sept. 11th. And American lives remain at risk so long as we are in this conflict.

MODERNIZATION OF THE MILITARY

Of course, no one makes a greater sacrifice, or a more important contribution to our security, than our nation's military. The first challenge of a new policy is to strengthen our Armed Forces for the future.

We know our military must go through a transformation—and we need our legislative branch to be working on this transformation along with the executive and uniformed services.

Each of the branches is already reaching for the goal of modernization. In the future, our Army will be lighter and faster; our Navy will deploy smaller, stealthier ships; the Marines will move faster and with more firepower; and the Air Force will revolutionize its planes and weapons systems.

The results will be positive. As Bill Owens, the former Vice Chairman of the Joint Chiefs, has suggested, electronics and computers should dramatically improve our forces without huge cost increases.

But to set goals and achieve them are two different things. While some experts foresee transformations that could take up to 30 years, much of what we must accomplish has to happen in 15 or less. So we need to focus our energies and our resources.

My suggestions for military reform come with two qualifiers.

First, I am deeply committed to not politicizing our military and strategic decision-

making. We achieve nothing if a good idea for our Department of Defense becomes a Republican or Democratic idea and gets bogged down in politics.

Good ideas are too crucial to our nation to let them founder on partisanship. We need to change the way we think—not just update our weapons systems—and we need to look for good ideas everywhere.

Second, I hope that the suggestions I make today form the basis for further discussions. A comprehensive plan will come from the contributions of many. While I have a broad view of the direction I hope we will take, the complete picture can only be sketched out here.

I believe we can strengthen our military through bipartisan efforts in three key areas: supporting the people who make up our Armed Forces; improving our technology and weaponry; and modernizing our systems for logistics and supply.

First, we must work together to make sure we have a sufficient number of troops, and that they receive better compensation, and get the superb training they need.

Under President Reagan, the Armed Forces reached a peak of about 2.2 million. Much has changed since that time: we currently have 1.4 million soldiers, sailors, airmen and marines who are severely strained as they bravely carry out a growing number of missions. General Ralston, our commander of NATO and U.S. troops in Europe, recently told Congress that he does not have the forces to accomplish what we are asking of him.

Rep. IKE SKELTON has been a strong leader on this issue in the House Armed Services Committee, and I will work with him to add troops in 2003.

I recently read a disturbing article in the New York Times that described the situation of a young Sergeant, Eric Vega, who is with the 459th Airlift Wing at Andrews Air Force Base. Since he was activated on Sept. 22nd, Sergeant Vega has been on leave from his job with the Virginia State Troopers.

Because of his service this year, he has lost about \$25,000 in overtime pay, is working 14 to 18 hour days, and can't see very much of his 11 month old twins.

I was heartened to read that he still planned to re-enlist. But it is wrong that we are putting men and women like him through that. It is enough of a sacrifice to risk your life for your country; you should not have to also sacrifice your financial future.

Sens. MCCAIN and BAYH, Reps. FORD and OSBORNE have introduced bills to let young Americans sign an "18-18-18 plan," which is one smart option for bringing more people into the service. Under this plan, which builds on work already begun in the Armed Services Committees, a person could serve 18 months in active duty, 18 months in the reserves and receive an \$18,000 bonus, which can be used for educational purposes at the end of his or her service.

We need to keep investigating more innovative ways to help people serve.

We also need to work together to reform our training system.

When I was in the Air National Guard, back in my younger days, I enjoyed the fierce rivalry my Air Force buddies felt towards the Army. But we had little contact with the Army. You trained and worked with those from your own branch. When a mission was called for, you were supposed to be ready. When it was an Army job, then it was their turn.

Wars, of course, don't work like that anymore. And in recent years, our service branches have worked well together to develop joint operational capabilities. But we can do better.

I suggest we create and expand military academies that would train field officers from all the services in new forms of strategies and tactics. Such schools could teach joint operations more comprehensively—intermingling air, land, seas and space for the battles ahead.

It would be a useful step in breaking down barriers between the services, and in creating integrated tactical units.

If President Bush is interested, I think this is one area where we could easily work together and make quick progress. And I would be willing to go much further and support programs to recruit and retain even more of the best students to prepare our military for the tasks ahead.

The second challenge in military modernization is the acquisition of smart weapons and technologies that provide better knowledge of the battlefield.

Under the President's current budget proposal, we will be spending \$470 billion a year on defense by 2007, making it seem that we will be able to buy every weapon imaginable.

But even at that huge amount, we need to spend wisely.

One of the best things we can do is transform our military by linking new technologies with existing ones.

I have been heartened, for example, to hear about the success of the GPS guidance kits that can be attached to so-called "dumb bombs" dropped by pilot-less aircraft or B-52's.

This relatively simple innovation makes bombs more accurate and is less expensive than designing whole new weapons systems.

And where we can design entirely new weapons that revolutionize our capabilities on the battlefield, we must move ahead at full pace. One of the great successes in Afghanistan has been our ability to integrate data, an area where we must continue to invest.

Pilot-less surveillance aircraft, like the Air Force's Predator, helped us get real time data on the enemy's movements, saving pilots and allowing commanders to respond immediately.

The acquisition of these planes may seem costly—the 2003 budget calls for \$150 million dollars more—but pilot-less planes will cost much less than an F-22. The quicker we can move to a dominating position with them worldwide, the better off we will be.

The third area where we could obtain improved performance, and make our budgets more efficient, is logistics and procurement.

Experts generally refer to the amount of resources devoted to support functions as opposed to war fighting capability as the 'tail to tooth' ratio—and while the ratio was once 50/50 it is now 70% tail and only 30% tooth. The financial planning process at the Pentagon has not been overhauled since it was implemented almost 40 years ago by Robert McNamara. And a 1997 DOD report found that of the US military's \$64 billion inventory of supplies, over \$20 billion was obsolete.

We need to update our logistics and supply systems.

I want to thank the Business Executives for National Security—in particular the Chairman of its Executive Committee, Dr. Sidney Harman—for the insightful and non-partisan work they have done to highlight these issues. Dr. Harman and his group found that by adopting the best business practices for the military, the Pentagon could save \$20-\$30 billion annually without sacrificing quality.

In 2000, it took an average of 30 days to receive a part through the defense logistics system. In contrast, the Caterpillar company can ship a part anywhere in the world within 48 hours, and usually in less than a day. We

also know that the buying process takes too long. I was struck to read that development of the Crusader artillery system has already taken over ten years, while Boeing developed the 777 in just five.

These delays cost money and results in time lost on the battlefield. Congress has been guilty of its own share of micromanaging and politics. I hope that we can work together better in this era where a weapon may be "smart" for only so long, and prolonged congressional fights—and procurement delays—may mean technology is stale by the time it is fully deployed.

Throughout the military and Congress, there will be opportunities to work together to make sure transformation happens quickly. We have a chance in this new era to break down some old left/right obstacles and build consensus for moving forward.

I would like to make another offer to President Bush and Secretary Rumsfeld. I am ready to work with them and Speaker Hastert to appoint members to a bipartisan advisory commission to help build consensus for updating and modernizing the Armed Forces. The commission could work with experts and the Congress to make sure—just as we did during the Cold War—that we create bipartisan support for modernization and succeed at the new type of fighting already upon us.

In World War II, Churchill said, "Let us learn our lessons. Never, never, never believe any war will be smooth or easy." We would be foolish to forget that. If we learn our lessons together, we can make our military more effective, and make the world safer for all people.

#### 21ST CENTURY FOREIGN POLICY

But meeting the terrorist threat means rethinking more than simply the way we fight wars. We also need to reexamine the way in which we conduct our foreign policy. Our enemies are no longer just hostile governments, but foreign demagogues who seek support from the most impoverished citizens of the developing world.

On the diplomatic front, a policy of commitment helps us prevent war and promote stability. This is especially true in the area of foreign assistance.

A central goal of our foreign aid during the Cold War was to preserve alliances and prevent Soviet influence. Whether a recipient government was authoritarian or democratic was not the primary consideration, and promoting economic development was not always a goal. On the one hand, the Marshall Plan rebuilt Western Europe and ultimately locked in democracy from Germany to Greece. On the other hand, American aid to Zaire did little to improve living standards in that country. But it did make President Mobutu one of the richest men in the world.

Today, promoting the universal values of freedom, fairness and opportunity has never been more in America's self-interest. We should seek to lead a community of nations that are law-abiding, prosperous, and democratic. Such a world would leave fewer places for terrorists to hide, and more places for citizens across the globe to pursue life, liberty and happiness.

Afghanistan offers an excellent example of the strategic rationale for such a shift. America was generous to that country during much of the Cold War, and American military aid following the Soviet invasion was successful in its limited goal. In terms of a Cold War calculation, we had won and the rationale for American aid to Afghanistan disappeared.

But into the vacuum left by the Soviet departure and the reduction in American interest, came an era of lawlessness and then the repressive theocracy of the Taliban. While

some may have argued before September 11th that what happened in nations like Afghanistan didn't matter to Americans, we now know that tragically, it does. Today, nations in trouble or chaos anywhere in the world have real consequences for the United States.

Some people have suggested that we stop using the term "foreign aid." I agree. We should remake and rename it. Traditional foreign aid may have worked as a Cold War construct, but our goal now should be what I call American Partnerships. We should work closely with countries that want to improve bilateral relations and benefit their people, and insist that these relationships are true partnerships based on shared values.

If we can help create a world with more economic growth, better health care, stronger education, and more human rights, particularly for women, we will be fulfilling an essential part of our foreign policy.

Let me outline three qualities that should comprise this strategy.

Economic development, democracy, and universal education.

First, economic development.

People without access to jobs and the hope for a better life face a bleak and desperate future. In the last several decades, as the rest of the world opened up—as trade and freedom of movement have become more a fact of life for most—many parts of the Middle East and Central Asia have remained closed. Regional barriers have discouraged trade, populations have skyrocketed, and too many economies have grown dependent on a single commodity—oil.

We know that when nations open themselves up economically, they will ultimately enjoy greater prosperity and moderation. Trade is one important part of lifting up poor nations.

In a speech I gave in January to the Democratic Leadership Council, I said that it is time we crafted a "new consensus" on trade. Everyone knows that trade should be an engine of growth for all nations, and that we can move beyond simple left vs. right debates to craft agreements that both promote trade and protect the environment and labor.

I suggested then that the US-Jordan trade agreement was a model that serves American economic interests. Today, I also want to point out that it profoundly serves our national security and strategic interests as well.

There are promising signs that we can build on this new consensus. We are currently negotiating trade agreements with Chile and Singapore, two nations that are ready to use Jordan as a model.

If we are to open the Middle East and other regions to the hope of peace and prosperity, we will need more agreements like the one we reached with Jordan that meet these goals.

But trade alone for many countries will not be enough. We need a generation of development partnerships that promote free markets and democratic governments and are leveraged to spur growth.

Luckily, we have an opportunity for progress with the Millennium Fund that the President recently proposed in Monterrey, Mexico. I support its goal of fighting poverty and hunger, encouraging universal education, enhancing women's rights and health, reducing child mortality and promoting sustainable development. But we need to make sure this fund is not a shell game, diverting resources from other worthy development efforts, and I hope the President will work with Congress to provide increases for effective programs in the 2003 budget.

Some of these new partnerships should also come in the form of micro-loans: support to

individuals or small businesses who need access to capital and opportunity.

In almost two-dozen Moroccan cities, small indigenous NGOs supported by the United States are dispensing \$50 to \$700 loans to individuals seeking to establish and expand businesses of their own. Such programs have generated tens of thousands of jobs around the world, and they build a foundation for future macroeconomic growth.

Other support must help to defeat the scourge of HIV/AIDS. To achieve economic development, we must work together to improve prevention, treatment and care for people with this disease. I have been to Africa and seen the devastating pandemic on that continent, from Zimbabwe's villages to South Africa's maternity wards. It is a humanitarian crisis. It is a development crisis. And its ability to spread rapidly and destabilize nations in Africa and elsewhere makes it a national security crisis, too.

Updating our foreign policy also requires renewing our commitment to democracy.

In my career, I've been fortunate to spend a good deal of time abroad meeting with foreign leaders and their citizens. You can't learn everything out of a briefing book, and I've learned a great deal from these travels. But nothing prepared me for the suspicions towards America I found on my recent trip to the Middle East.

Many students I met in relatively moderate nations such as Morocco asked questions about American plots against their land that seemed outlandish. The questioners often cited regular news broadcasts—media that in too many countries are filled with calls for hatred and violence. Just weeks ago, an outrageous Saudi broadcast called for the enslavement of Israeli women.

We know in America that the antidote to these voices is more freedom. The censorship of legitimate criticism by some governments too often leads to popular anger and a search for scapegoats. We need to help moderate voices be heard in these countries because they will offer a better way for the future.

And we can help. Radio Free Europe, Radio Liberty and Radio Free Asia should be marketed as models for the delivery of compelling, objective broadcasting cross the globe. In a world within terrorism, our security is enhanced when accurate information about our policies can reach every household.

We need to nurture civil society in these regions, work with governments and nascent legislatures, and encourage free expression and the broadening of rights for all people. The National Endowment for Democracy and its affiliates, NDI and IRI, deserve more support to expand the good work they're already doing in this area.

We also must fight corruption and take measures to advance the rule of law. Of particular importance at this moment, we must demand that the Palestinian Authority take steps to formulate a truly operational, accountable and democratic governing entity. To date, Chairman Arafat has failed in each of these areas. Real progress toward peace will only be possible when the Palestinian Authority begins to adopt the rule of law and accountability as guiding principles.

The third value that I think is stressed too little in our current foreign policy is education.

The Pakistani government spends 90% of its budget on debt service and the military, and practically nothing on education. Governments in other developing countries have similar difficulties in meeting the demands of a rapidly growing population. In some Middle Eastern nations, almost half the people are under the age of 15, and the total population is expected to double in the next two decades. The majority of children in the Arab and Muslim world do not have access to

a public education. Worldwide, more than 130 million children are not in school and do not receive a regular meal each day.

Beyond the intrinsic merits of education, we know that in countries where education is universal, economies expand and population growth is held in check.

We should work with developing nations to help them create universal education systems. I am happy that the Farm Bill includes the bipartisan George McGovern-Bob Dole initiative to provide school meals to hungry children if their parents allow them to go to school, and if the host country agrees to a program of education development.

It is a good start and one we should expand.

We must also encourage and help nations develop objective curricula that will advance their place in a global society. In Arab nations in particular, we must work, with governments to force blatant and ugly anti-Semitic and anti-American rhetoric out of textbooks and out of the classroom. If we don't make this a high priority, our hope of achieving a lasting peace in that region will never be realized. And our hope of building long-term partnerships will be dashed.

I've touched on a few ways in which a re-focused diplomatic agenda can promote long-term change in the Middle East. But let me be more direct. Depending on the choices we make in the weeks and months ahead, the Middle East will either continue to be a tinderbox for international instability, or a land of new alliances and hope for the future.

Having witnessed the downward spiral of events in the region over the past year, I believe our first choice is clear—America must lead. We cannot expect that the parties to this conflict will resolve it without the active support of the United States. We must be steadfast in our support for Israel, in words and deeds. The United States must speak frankly: there is no moral equivalence between suicide bombings and defending against them.

We need strong measures to replace violence with dialogue, and despair with hope. And we must seek a lasting peace that provides real security for Israel and opportunity for all people in the region.

The other regional challenge that requires American leadership is Iraq. Saddam Hussein survives by repressing his people and feeding on a cult of victimization. He is clearly not a victim, and I share President Bush's resolve to confront this menace head-on. We should use diplomatic tools where we can, but military means when we must to eliminate the threat he poses to the region and our own security. New foreign policy initiatives can help remove one of the legs of Saddam's survival by reducing the desperation of many in the Arab world who see him as a defiant ray of hope. At the same time, we should be prepared to remove the other leg with the use of force. I stand ready to work with this Administration to build an effective policy to terminate the threat posed by this regime.

#### STRENGTHENING ALLIANCES

As we reform our military and update our foreign policy, we must recognize that America cannot and should not do this alone. Leadership is not a synonym for unilateralism. When we lead a coalition, we advance not just universal values, but mutual security as well.

After World War II, the United States created institutions that promoted economic growth and forged the military alliances that stood against communism. President Clinton wisely built on that tradition, creating new alliances that strengthened America's security. I hope the Administration will

consider a new generation of international partnerships, regional security alliances, more flexible financial institutions, and treaties to help manage increasing economic, political, and military complexity.

Over the past year, despite the unifying force of the war on terrorism, an undercurrent of unilateralism has strained our relations with allies in Europe, Asia and Latin America. Instead, we need to redouble efforts to strengthen NATO and reinvigorate bilateral pacts with South Korea and Japan. In this hemisphere, we should take advantage of the recently invoked Rio Pact to harmonize security arrangements and pursue democratic and economic objectives. And we must leverage all of these ties to forge wider regional alliances.

I commend the Bush Administration for its work to construct a stronger partnership between NATO and Russia. This new arrangement should ultimately break down lingering suspicions and allow us to maximize strengths to confront shared threats.

At the same time, we must intensify our bilateral work with Russia on a range of issues, especially the need to destroy unneeded nuclear weapons and keep others out of the hands of terrorists and rogue nations. Former Sen. Sam Nunn has identified this threat as the new nuclear arms race, and I join him in calling for immediate steps to avert what is no longer the unthinkable—the use of a weapon of mass destruction by an unknown enemy. Our government must allocate additional funds to secure these weapons and their components, and accept no more excuses for the proliferation of dangerous materials from Russia to Iran and elsewhere.

The severe consequences of proliferation are on vivid display in the current tensions between India and Pakistan. We must do everything possible—on our own and with our allies—to diffuse this stand off, because the terrorists who have fuelled it will be the sole beneficiaries of an all-out war. This is the new world in which we live. Disputes once considered remote can have deadly consequences if met with American apathy.

We must also continue to encourage China's participation in bilateral and regional endeavors, provided that it agrees to the price of admission—adherence to international standards including human rights, trade practices and nonproliferation rules. As former Defense Secretary Bill Perry proved a few years ago in helping to develop a visionary policy toward North Korea, the United States and China can make great progress if we recognize the common, long-term interests that our people share.

We should also look to new regional structures for projecting strength and stability, especially in places where our government is not willing to commit U.S. forces. A case in point is Africa, which some have claimed is not a national security priority for the United States. I disagree, and I was disappointed when the Bush administration cut funding for the Africa Crisis Responsive Initiative. This program was designed to build indigenous capability within Africa that could respond when needed, and help regional leaders like Nigeria calm trouble spots so the United States would not have to.

We must be prepared to build alliances in regions that flare up unexpectedly. Afghanistan is the best example of this today. The Administration deserves credit for the military victory there. However, it will be short-sighted if we stop now and withhold support for expanding the international security presence beyond Kabul, as Interim President Karzai has urgently requested. Instead, we must take steps to make that nation a prime example of the coalition's unbending commitment to democracy and development.

#### CHALLENGE TO AMERICANS

The last challenge I'd like to discuss today is to instill all these initiatives with a new energy of civic involvement at home and abroad.

In a new, more interconnected world, individuals or small groups can pose a serious threat to America's heartland. Nineteen hijackers did what Germany and Japan failed to achieve in the entire Second World War. This is a new front involving our firefighter and police, our EMS, the INS, the Customs Agency, the Coast Guard and all other organizations responsible for protecting the United States.

This is a completely new threat to our home front, and I am deeply concerned that the appropriate sense of urgency is absent from our civil defense efforts.

After Pearl Harbor, we moved with speed to mobilize our nation in defense of democracy. Almost nine months after Sept. 11th, America has still not crafted a strategy to significantly strengthen our nation's security, despite a series of recent warnings from our government.

We need to reorganize our homeland defense agencies in order to maximize the safety of all Americans. Not only does the Homeland Security Director need to be a cabinet officer—he needs budgetary authority. He needs operational authority. And he must provide a comprehensive plan to the Congress on our national strategy for homeland security. Such a plan should involve all Americans in our civil defense effort.

As the Intelligence Committees begin their hearings today, we all know that our ability to coordinate information gathered at home and abroad needs to be improved. A task force led by former National Security Advisor Brent Scowcroft has developed proposals to better integrate the work of our intelligence agencies. Given the urgency of collecting and utilizing intelligence effectively, I hope the Administration will act upon these ideas.

Finally, we must harness the spirit that defined people's response to the Sept. 11th attacks. American citizens who have enjoyed the rich benefits of democracy and free markets possess a unique capacity to energize these values across the world.

Let's be clear: Americans face a special challenge in this conflict: to educate ourselves as never before, to participate in decisions that affect all our lives, and to make connections with people across the globe. We need to encourage citizens of all ages to get involved in the Peace Corps, the diplomatic corps, Americorps, the CIA and the FBI.

One of the efforts I am most enthusiastic about helps experienced Americans go overseas and share their skills with people in developing countries.

I met a retired businessman from Chicago on my most recent trip to the Middle East. He had volunteered to run a start-up micro-loan program in Morocco. With his project nearing completion, I asked him what he was planning to do next.

"I thought about going home to play golf," he said. "But I have decided to stay in the Middle East. I've seen what can be achieved here in Morocco, and I am going to another country and do it all over again."

For every American like him, we counteract a book of lies. For every business he helps succeed and every person who finds a job, we diminish the pool from which the haters recruit.

At home, government, industry, and individuals must also participate in this effort to expand knowledge of other peoples, and foster interaction between nations.

In 1994, Newt Gingrich and I sponsored a pilot exchange program devised by the San-

Francisco-based Center for Citizen Initiatives. Individual families in St. Louis and Atlanta hosted a handful of Russian entrepreneurs who came here to learn skills from American business people. Today, hundreds of Russians are coming to the U.S. each year to get hands-on training and Americans in more than 40 states are participating in the program.

The challenge for every American is to convince the world that it is better to live together than at war, looking toward the promise of the future rather than the grievances of the past.

Updating our public diplomacy requires updating our politics. In the 1990s, with the Cold War over, it seemed like the parties could play politics with any issue. But today we need a new politics based on an open exchange of approaches. We must be free to propose ideas and work together to implement the best ones. This may well be the most important public policy question of our lifetimes. We must be doing our very best, thinking our very best, working together at our very best.

If we do, I think there is every reason for optimism.

Extremist leaders who advocate violence against America must constantly worry that their own rhetoric will consume themselves and their cause. To quote Churchill once more, "dictators ride on tigers which they dare not dismount." In contrast, we have the luxury of trusting in democracy and the good sense of our fellow citizens.

Just as we battled the Soviets through 50 years of the Cold War as a united America, so will we battle terrorists and their supporters for as long as it takes. Today, we enjoy a new and productive relationship with Russia; one day, we will hopefully enjoy a new and productive relationship with those who distrust us now.

We know that civilization requires protection, and that freedom demands commitment and sacrifice. But it also requires imagination and clear thinking.

In 1947, in an address to a joint session of Congress, Harry Truman spoke about the communist threat in Europe, and the struggle for freedom and democracy in Greece and Turkey. He ended his speech with the reminder: "Great responsibilities have been placed upon us by the swift movement of events."

Twice in the last century, and now again, our nation is being asked to measure itself. If we fail, the consequences are severe. For ourselves, and for the world, let us succeed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

(Mr. HOYER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### SUPER NAFTA MEANS SUPER TORNADO FOR U.S.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this week the House was scheduled to take up a measure relating to fast track trade authority but, for some reason, it got pulled from the schedule and we were not told why. We know President Bush has called fast track one of his top legislative priorities, even though it will lead to more lost jobs and even higher trade deficits for our country. So it is a bit of a mystery why we did not take up this important measure.

Mr. Speaker, the President wants fast track to pave the way for the so-called Free Trade Agreement of the Americas, a kind of super NAFTA. This super NAFTA would extend NAFTA provisions to all of the countries in our hemisphere except Cuba. But why would we want a super NAFTA, considering the damage that NAFTA has caused in the past 8 years? NAFTA has been like a tornado, ripping up jobs and tearing apart communities from the textile areas of the Carolinas to the agricultural valleys in California and Florida, to the automobile industry in the Great Lakes region.

Now, according to the Los Angeles Times, the latest of our exports are high-wage jobs. Before NAFTA, we had a trade surplus with Mexico. We sent them more than they sent us. In 1993, in fact, before NAFTA, America held a surplus of over \$6 billion with Mexico. Yes, that was a surplus. Where are we today post-NAFTA? Well, we had a trade deficit, a record deficit of nearly \$30 billion with Mexico in one year; that is billion, translated into over 600,000 more lost jobs in our country.

Do we think the balance of accounts was any better with Canada? Wrong. Our trade deficit with Canada for the year 2001 was over \$50 billion. That translates into 1 million less jobs in our country.

Who can call this kind of policy a success? Most estimates indicate that more than 3 million jobs, direct and related, have been lost post-NAFTA. Analysis shows State-by-State job loss figures range from a low of 6,838 in North Dakota to a high of over 364,000 in California. Other hard-hit States include my own of Ohio, but add Texas, New York, California, Michigan, Pennsylvania, North Carolina, Illinois, Tennessee, Florida, Indiana, Georgia, New Jersey, each with a loss of over 100,000 good jobs. Those may sound like numbers to the White House or some of my colleagues on the other side of the aisle, but each one of those numbers is a family fighting to put food on the table, to pay for college and medical costs, and is a strong indicator as well of America's waning manufacturing and agricultural strength. If that is the wave of the future, I sure do not want any part of it.

Under the Free Trade Agreement of the Americas, the "Super NAFTA," instead of just covering Mexico and Canada, now we are going to add 31 more countries into the mix, like Argentina, Brazil, Colombia, and Venezuela. In the first 3 months of this year alone, we al-

ready had a trade deficit with those countries of \$6 billion. So why would anyone want to exacerbate a situation which is already working against the interests of our people?

This appears to be what the administration is fighting for: more lost jobs, more trade deficits. When will this job hemorrhage end? When we have no manufacturing base to speak of? When our markets are flooded with agricultural products from every place else in the world?

Mr. Speaker, many of our working families are suffering. In fact, millions of them are. America is becoming a bazaar to the world's goods and, at the same time, we are hollowing out our own productive strength here at home. It is no surprise to us here to tell the American people that 75 cents of every farm dollar today is Federal subsidy.

□ 1500

Farmers are farming the government, not the market. Our agricultural policies are only working to hold the farm credit system together so we do not have a depression in rural America, and in manufacturing America we have had a depression. I do not know why it is not on the front pages of every newspaper in the country. We have lost over 2 million jobs, more in the last 2 years. Talk to anybody in the integrated steel industry. Talk to anybody in the machine tool industry. Talk to the electronics industry.

It seems to me we ought to have trade policies that work for America again. We should not be trading away our good jobs, and fast track is not a responsible plan for a secure economic future. Why should we have a fast track for more lost jobs and higher trade deficits?

Someone ought to pay attention, and we ought to reject any fast track proposal that is brought to this floor.

#### PRESCRIPTION DRUGS

The SPEAKER pro tempore (Mr. KELLER). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. This afternoon, Mr. Speaker, I just wanted to address this whole issue of prescription drugs. It is an issue that is on the forefront of the minds of just about every senior in my district.

Over the past year, I have visited at least 25 senior centers, and the stories that we are told over and over again would bring tears to almost anyone's eyes. Just the other day, we had a young lady, I say young, 70 years young, who in a meeting of seniors said to me, Mr. CUMMINGS, I worked all my life. I worked very hard. Now that I am older, I find myself unable to afford my prescriptions. I go from drugstore to drugstore trying to collect samples, because I simply cannot afford the cost of prescription drugs. I wish that the Congress would be in tune with me and give me back my dignity.

Then there was the gentleman at the Jewish senior citizen home in my district who stood up and said, You know, I cannot afford my prescription drugs anymore. What I am doing is cutting them in half and taking half of the prescribed dosage. I am 77 years old, and I am getting older and sicker every day. I want you to do something about it. Then he said something that is embedded in the DNA of every part of my memory bank. He said, Mr. CUMMINGS, if the Congress does not do something fairly soon, I will be dead.

We have other people in our districts throughout the country who are purchasing half of a prescription because they simply cannot afford the entire prescription. So I was very pleased today to hear and participate as the Democrats proposed a prescription drug plan. I know the Republicans have done the same thing.

The issue now is that this Congress, Mr. Speaker, must act. There are many people who are depending upon us to come up with a reasonable plan so that they can live. While we are about the business of protecting our country against outside forces, we have to make sure that we do not deteriorate from the inside. These are people who have given their blood, sweat, and tears to lift up this great country; and they are in their senior years. It is a time when they should be resting and relaxing and feeling comfortable about their lives, but they are coming to a point where they are not only losing their dignity, but slowly but surely losing their lives.

So I am hoping, Mr. Speaker, that we will take the words of those seniors who are not only in the Seventh Congressional District of Maryland, but those seniors who are throughout our entire country waiting and praying that we will take action.

Last but not least, I have often said, Mr. Speaker, that we have one life to live, and that this is no dress rehearsal. This so happens to be that life. I think it should be our goal to bring the very best life to our very, very valued citizens, the very best life that we can.

After all, this is one of the greatest countries in this world, and we should treat our seniors in a way that reflects the greatness of our country.

#### SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. FOLEY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FOLEY. Mr. Speaker, let me first indicate Florida's pride in the gentleman's being in the chair today. We are delighted to see the gentleman from Florida (Mr. KELLER) as Chair of the House and Speaker pro tempore.

We are also delighted to have a conversation today in calm and measured tones about an issue that is vitally, vitally important, to every American.

That topic is Social Security. Typically, when we mention Social Security, people 65 and older are all ears and stay tuned to the debate. What we hope to do today is spend some time on this very valuable program, this important program, this safety net, if you will, for all Americans 65 and above and those yet to reach that wonderful age.

We would also like to put to rest some of the demagoguery relative to this issue. We find so often that people, particularly the minority party, regrettably, have sought to use Social Security as a political issue to try and divide people and suggest that they had better vote for their side if they want to see Social Security preserved.

Let me start with a personal anecdote, if you will. My grandmother came from Poland. She came to the United States of America. Her husband died, and she raised my mother and her sister on her own. She was a maid in the Travelodge Motel, and she cleaned 28 rooms a day. It was a job she was proud of, and a job she did well.

But in her later years, the one thing was certain, she depended desperately on that Social Security check, and she depended on Medicare. She died with but \$10,000 in the bank, her life's savings, all a woman of her means could afford to save in her lifetime while she cared for her two dependent children, paid her taxes, contributed to the church, did volunteer work, and helped the community in many ways.

I remember her waiting anxiously for that check every month. She could have counted on us, but she wanted to be self-sufficient, and Social Security provided that self-sufficiency. So it is in her memory that I stand today as a proud Member of the Republican Party talking about ways to correct and strengthen and improve Social Security.

Now, they use tag lines on the other side of the aisle like "privatize" and "take away" and "diminish" and "raid" and "abscond"; and it is amazing, rather than constructive rhetoric, like, let us see if we can work together to fix a problem, they simply say, let us be in charge, and we will make certain Social Security is fully protected.

Well, we have had that experiment. In fact, since 1935, when Social Security was created, they ran this place for 40 years. They ran this place into looming and growing deficits. So if we look at the facts of the matter, we will see that our stewardship of Social Security has actually been more on the point of making certain that it not only is fundamentally and financially secure, but that it also has long-term potential for future generations.

We have to think more than just the current voting age population of 65 and above. We have to think of those born today in this country. We have to think of those who are just entering the workforce at 17, whether they are in Orlando or Palm Beach or Fort Lauderdale. The three Members here on

Florida Day right now are Floridians. I am from the district with the largest population of seniors in all 435 districts in America. Seniors matter to me. Social Security matters to me. My legacy that I hope that I can leave in this process to my grandmother's memory matters to me.

I do not want to try and convince people to vote for our party by scaring people. I would like them to have a chance to look at the record and say, this group of individuals, hopefully including some fair-minded Democrats, came to this great city in this great Nation and endeavored to fix a growing problem.

Now, I am joined, fortunately, today, by the chairman of the Subcommittee on Social Security who happens to adjoin me in the neighboring congressional district in Florida, a person who knows not only full well of Social Security's importance, but some of the remedies that we have prescribed to make it financially secure.

He represents an equally large number of senior citizens; and every day he comes to work he considers and reflects on that same awesome responsibility, that it is not just about getting elected and reelected, it is about doing something while we are here to earn the confidence of the voters. He has been here since 1980, I might add, in a largely Democratic district; so I think he has proven to Members of all political stripes that he has the best interests of seniors, not Democratic seniors or Republican seniors or Independent seniors or nonaffiliated seniors, but of all seniors, at heart.

Mr. Speaker, I yield to the gentleman from Fort Lauderdale, Florida (Mr. SHAW), chairman of the Subcommittee on Social Security.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding to me. I would like to congratulate him for reserving this time, because what we do need is some time for some quiet reflection so that we can examine the problem, look at it in a very rational way, no yelling and screaming, no talking about scare tactics about privatizing, which is ridiculous, no talking about cutting benefits and all of these things. But it is time that this Congress and the American people really reflect upon exactly what the problem is and why are we trying to do something about it.

I am going to refer to four charts during the few moments that I will be here. I think they certainly graphically show what the problem is.

Social Security is one of the greatest anti-poverty programs that we have ever had in this country. It is not a welfare program; it is a program in which we pay in all of our working years, and then if we become disabled or retire, it is there for us. It is exactly the right thing to do.

Now, it has been a pay-as-you-go system ever since it has been put in place. In 1945, there were 42 workers for every retiree. As we can see from this graph, it is a great system as a pay-as-you-go

system. There was no need to forward-fund on Social Security. The system was working beautifully.

Now we are at 2002. We find that there are only three workers for every retiree. We still have a pay-as-you-go system; and as we know by listening to many of the speeches on the floor of this House and reading in the news media, we see that we still have a surplus in Social Security, so it is still working as a pay-as-you-go system.

But then we also look ahead, and we know that by 2035 there will only be two workers per retiree. Now, every working American or most working Americans pay in 1½ months of wages per year to take care of the Social Security program. That is a lot of money, particularly to our low- and middle-income people; and probably for many of our low-wage workers, it is the biggest tax and maybe in some instances the only tax they pay; but 1½ months working for this retirement system is a lot. It is up to this Congress to look ahead and see what can we do for today's workers to be sure that the system is going to be there for them.

There is no reason to change it for the older workers, people in retirement. There is no reason to invade the trust fund. There is no reason to sidetrack any of those taxes. Those taxes are there and that program is there for them. They have paid into it their whole working life, and I do not know any Member of Congress that would take anything away from them.

But let us see where we are going to go and what is going to happen. By the way, all of the figures that I am using here this afternoon are from the Social Security Administration. This is the same under both the Bush, as well as the Clinton, administration, so there are no partisan figures that are being used here. These are factual figures which no Member of Congress or no person in the government or elsewhere can refute.

What happens if we do nothing? If we do nothing, we find that in 2041 there could be as much as a 27 percent reduction in benefits. Now, those of us who know or have talked to or worked with people that are at the lower-income level, we know this would be devastating. It is really unthinkable. But then when we look ahead to 2076, we see a 33 percent reduction in benefits if Congress does nothing.

□ 1515

But Congress can, as we know, and as Congress sometimes does, they could raise the taxes. And if they were to raise the taxes, we see right now where 12.4 percent of the wages go into the Social Security system. To keep the benefits the way they are, Congress would have to raise the taxes in 2041 to an amount equal to almost 17 percent of the workers' wages, and in 2076 you are getting over 18, almost 19 percent increase in the taxes. Now, this is something that is totally unacceptable.

We cannot go to American workers and say we are going to give you this



tremendous increase in your taxes. We will literally be taking food out of the mouths of the children. We will be taking rent money. This is unacceptable. Likewise, this is an unacceptable, the cut in benefits. But we do not have to do it. But if Congress does nothing, which is the only plan that I have heard from Members, many of the Members on the other side of the aisle when they say we do not have to do anything, we are looking at a \$25 trillion deficit in the Social Security trust fund.

We see here that we are going to have surpluses up to about 2017, and then beginning in 2017, we are going into a shortfall and we are going to have a \$25 trillion deficit. This would be shattering to the economy of the United States. The biggest economy in the world cannot sustain that.

This is not only a problem in the United States, it is all over the industrialized world. People are living longer and they are having fewer kids and this is the problem that we have. So we have got a workforce as it applies to the amount of seniors, the workforce is decreasing, the numbers of seniors is increasing, and the system is definitely stressed. And the Congress needs to do something.

Mr. FOLEY. Mr. Speaker, if the gentleman would go back to the chart, I think it is very telling about the tax increases, but I think it is more telling about the time required for a person to work in a given 12-month period in order to pay those taxes. Can the gentleman illuminate that for us?

Mr. SHAW. Mr. Speaker, I was speaking to a reporter the other day. I could tell from her voice that she was certainly a lot younger than I am. We were talking about the Social Security and what was happening to it. And I said, Would you go to work for this newspaper if during the interview they said you are going to work about one and a half months a year to pay into the retirement funds but yet it is not going to be there for you? And she said no.

Then I asked her the question, Do you think Social Security is going to be there for you? She said no. That does not have to be the answer.

The problem that we have today is that the young people are just not focusing. I am looking at some of the pages sitting here on the floor this afternoon. Retirement is the furthest thing from their minds. But when you start explaining to them that you are going to work a month and a half a year to pay for my retirement, then they say, well, wait a minute, what about mine? And this is what we have to think about. If we care about our kids, if we care about our grandkids, if we care about the legacy that this Congress is going to leave to the United States, it is time that we start focusing on this problem. And the idea of doing nothing and bringing up these terrible deficits, this is unthinkable because this is an economy that cannot

sustain itself with this type of a, with a deficit. But this is the answer for doing nothing.

Now, I am not suggesting, I have got on here under the Democrats Do Nothing Plan, cash flow deficit starts in 2017, and this chart would indicate that their plan would build up to \$25 trillion deficit. I do not believe what they say, when they simply say, oh, we will do nothing and the money that we are going to save from the interest that we are not going to have to pay on the borrowed revenue will take care of the problem.

I beg your pardon? Going to take care of a \$25 trillion problem? Come on. Even the newest math cannot get you there. I mean, we always talked about voodoo economics, but this is beyond this. This is post-post graduate voodoo economics.

This is what the facts are and these facts are reported by the Social Security Administration.

Mr. FOLEY. Mr. Speaker, if the gentleman would also explain the Social Security trust fund because that is a misnomer. There has been a lot of debate today, in fact, about raiding the fund, borrowing the fund, stealing from the fund, which we know is false, patent rhetoric. But if the gentleman would explain the fundamentals of the trust fund for us.

Mr. SHAW. Mr. Speaker, I am glad the gentleman suggested that.

The way the Social Security trust fund works, the way Social Security works, your FICA and payroll taxes are paid into the Social Security Administration. The money is paid out of the trust funds in order to pay the benefits, the survey benefits, disability benefits, pension benefits. The benefits that come out of Social Security are paid out of the trust fund. The monies that are left then go into the general fund. That is what we call the surplus. This is money that is over and above what is necessary to pay the benefits under Social Security.

Surpluses by law are replaced by Treasury bills. These treasury bills are nonnegotiable Treasury bills which are IOUs by the government to the government.

Mr. Greenspan testified before the Committee on Ways and Means and said these are really not economic assets. And you can compare them to writing yourself an IOU and declaring that as an asset. It is not an asset. It is simply an IOU by the government to the government.

So we will continue to have surpluses, according to the Social Security Administration, until the year 2017. But beginning in 2017, the Congress is going to have to find the money to pay the benefits, whether it increases taxes, whether it cuts benefits, or whether it just simply goes into the red and produces this type of shortfall for the next 60 years. This is what we are facing and this is what future Congresses are facing.

Now there is a number of plans that are out there that do address this di-

lemma that we find ourselves in, and there are some very good plans. The plan that I have developed adds something to Social Security without touching the trust fund, without touching any of the FICA taxes that are going into the Social Security trust fund. And I believe that this is the best way to go. And I have demonstrated through the Social Security Administration that if we were to enact this Social Security Plus Plan that we would not only be able to avoid all of this red ink, we would keep benefits every bit, if not better, than they are today; we could add to it a retirement bonus which would be paid out of these added funds that are being put into the Social Security Administration. It assumes that every dime that goes into this would have to be borrowed and paid back, and not only would they be paid back over the between now and 2075, but it would create a surplus of \$1 trillion.

Now, this is what we need to leave to our kids; and this is what we need to be able to try to do.

Now, you have heard a lot on this floor, they are saying the Bush administration or the Republicans have a secret plan to privatize Social Security. How are you going to privatize something that is looking down the barrel of a \$25 trillion deficit? The private sector would not take this unfunded liability over, so that is absolutely ridiculous.

The Social Security Administration needs to stay in place exactly as it is today. The American seniors, when they were young workers, they paid into this system their whole working life, and it is not up to this Congress or any Congress to dismantle the Social Security trust fund. It needs to be kept in place exactly as it is today. But we need to add to it, add to it as an add-on, as an addition. And my particular plan, which we have looked at and which I know you have carefully examined, it would take money actually out of the Treasury. No more taxes. But it would take it out of the Treasury under monies that could be borrowed as a bridge and put into individual retirement accounts, not all in one stock as you would hear. As soon as you start talking about individual accounts, everyone starts yelling Enron.

Well, if you had one Enron in your portfolio, that would be a danger but this would not allow that. They would be widespread like index funds. And it would only be 60 percent in corporate stocks and it would be 40 percent in corporate bonds.

Now, what the Social Security Administration, they did a lookback over the last 75 years which encompasses a depression, a Great Depression, and they said these individual retirement accounts would grow at a rate that would create over 75 years, which would create a \$1 trillion surplus.

Now, we do not have to adopt this plan. There are other plans out there. But it is time that the Congress quit



talking about doing nothing. They say the sky is falling and then they think that is some kind of a joke. This is no joke. This is 2017 which is right around the corner. And we need to start planning for it, whether we use the plan that I have developed or whether they have come forward with another plan. I would be delighted to hear their plan. But this is the only plan that they have put forward among their leadership.

Now, I will quickly say that there are a few Members on the other side of the aisle that have developed plans. One of the Members has developed a plan, one of the Democrat Members has joined with a Republican Member in developing a plan which I think you may hear about yet within the next few minutes, and I congratulate him for doing that. But Social Security, and I am thinking of what the gentleman from Florida (Mr. FOLEY) was talking about with his grandmother, and in there cleaning all of those rooms every day and paying into a Social Security fund that kept her out of poverty.

I am reminded of a statement that was made here on the floor that life was to be enjoyed, not endured. And that is what we need to work with. And all of us know that today's seniors are going to be just fine. Nobody is even thinking about cutting the benefits. But I am also saying we do not have to cut the benefits of tomorrow's seniors either if we start planning ahead today. If you start building on top of the existing plan, not substituting, not taking anything away from it.

Mr. FOLEY. Mr. Speaker, if the gentleman would tell us about his vested interest in this program. How many grandchildren and children does the gentleman have?

Mr. SHAW. Mr. Speaker, I am doing my part to increase the number of workers per retiree with 4 children and 13 grandchildren. But those are the kids I am worried about because I know, particularly when these grandchildren retire, they are going to be in deep trouble. They will be up to their eyebrows in this red ink. And we can avoid it, and we must avoid it, and we must work together and quit all of this junk about raiding the trust fund. I have just explained there is no money in the trust fund. How can you raid the trust fund? The trust fund has nothing but Treasury bills. But beginning in 2017, there is no surplus. You cannot send the seniors Treasury bills. You have got to send them cash. So the Social Security Administration is going to have to be looking towards the Treasury of the United States to get the money because there will not be enough FICA taxes coming in beginning in 2017 in order to pay the benefits.

We must not get in a situation where we are thinking about reducing the benefits. That would be grossly unfair. People paying into this system, relying on it, and then just before they come into retirement, the Congress decides

to decrease the benefits. The next generations of workers, they get in under the workforce, Congress talks about raising their taxes. That is not fair, particularly when you do not have to do it. But the problem is getting the politics out of this.

I will be so glad when this next election gets behind us because I have a feeling that the Democrats will no longer say this is what they support, because this makes absolutely no sense. It makes no sense. And I am sure that once we get the politics out of this that we will be able to work with the minority party and reform the Social Security system.

To do otherwise, I will tell you tomorrow's generation will turn our pictures to the wall and that is where they should be put if we do not step forward and do something for future generations.

This is not only important for today's seniors, it is not only important for those who are about to go into retirement, but it is our kids and our grandkids, too. This is tremendously important. It would be absolutely sinful and pitiful for this Congress to do less than to save Social Security for this generation and the next generation.

Mr. Speaker, I thank the gentleman and, again, I compliment him for taking this time. I think that the more we can get this word out, the more the American people will demand that their Congress, that their representatives, the people who work for them, come here to Washington and not play politics with this great retirement system, but to fix it and be sure that it is going to be at least as good for the next generation as it is for this generation. We can do it, but we need to do it on a bipartisan basis.

□ 1530

We need to do it by everybody down on the playing field and not having half the team or the opponents up in the bleachers throwing rocks at us that are down there on the field that are trying to do something. That is grossly unfair. So when people start talking about people wanting to privatize Social Security, we should laugh at them. There is no one in this House that has ever talked about privatizing Social Security; and when they start talking about raiding the trust fund, we should laugh then because we know that there is no money in the trust fund. There is only nonnegotiable Treasury bills.

Now is the time to really move forward, lay the groundwork, so that we can, within hopefully next year, come together in a bipartisan way and solve this problem. That is what the American people sent us here for, and I compliment my colleague again, and I know that he and I both have a tremendous number of wonderful seniors in our shared districts, and I know that is what they want us to do.

Mr. FOLEY. Mr. Speaker, let me compliment the chairman of the Sub-

committee on Social Security again, and let me also emphasize that the gentleman from Florida (Mr. SHAW) took his plan, the plan that I have cosponsored, down to the editorial boards of our newspapers in Florida, and let me mention one in particular, the Palm Beach Post, that is known for a rather liberal look, for the agenda of America; and they looked at the gentleman from Florida's (Mr. SHAW) plan very thoroughly, in fact, complimented the gentleman on the authorship of the plan and willing to take the debate forward to the American public on the importance of saving this valuable program. Sun Sentinel, as well part of a large chain of newspapers throughout the country, also opined that they felt it was not only a very good plan but an excellent starting point to begin the bipartisan debate on this valuable program.

This is not just two Members of Congress talking to ourselves, wanting to hear our own voices. We have actually taken these ideas, as the gentleman from Arizona (Mr. KOLBE) is going to share with us soon his, he has been working with the gentleman from Texas (Mr. STENHOLM), a noted Democrat, who has been very engaged in this constructive, bipartisan debate; but this is not just our voices in an echo chamber. People have actually reviewed the fine points of this document and suggested it was a great opportunity to not only enhance Social Security for today's recipients but for generations to come.

I want to thank the gentleman for spending time. Now it is indeed my pleasure and privilege to introduce the gentleman from Arizona (Mr. KOLBE), another State that shares a large population of seniors, but also who has a tremendous amount of young, innovative working families trying to earn a living and go to college and working to make a better economy for the great State of Arizona; and the gentleman has been long endeavoring on Social Security, not just timely this week or this month, but my colleague has been working on it for a significant length of time, another true patriot in the effort to preserve and protect Social Security. I yield to the gentleman.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding to me, and I really want to commend both my colleagues from south Florida for their efforts today to talk to the American people about an issue that I think is so vitally important. In fact, I do not think there is anything long run, long term that is more important for us to be talking about than how we are going to preserve and protect and save Social Security, which I think is undeniably the most important, the most successful anti-poverty program we have ever had for senior citizens in this country.

The gentleman from Florida, the chairman of the subcommittee, has pointed out very well exactly the problems that we face; and we see them on these charts that are here. Several of

us in this body have recognized this problem for several years now and have been working to try to make sure that we can find solutions to the problem.

Since 1995 when I formed the Public Pension Reform Caucus here in Congress with my colleague, the gentleman from Texas (Mr. STENHOLM), we then began the process of slowly working through different options. Since 1999 we have had two bills that we have proposed in the Congress of the United States that I believe go a long way towards dealing in a very rational, sensible way with the problems that Social Security faces.

So I think it is clear that there are Members of Congress that understand the fiscal and demographic pressures that are facing Social Security and that want to engage in a constructive dialogue on reform.

Again, some of the charts that we saw here from the gentleman from Florida (Mr. SHAW) show very clearly what the demographics show us and the problem that we have, the fiscal shortfall that we are going to have with Social Security. Unfortunately, there are some Members who want to use Social Security for their own partisan political advantage in an election year.

Scaring seniors about Social Security might do wonders in the polls for some Members, but I do not think the politics of fear should be acceptable to the American people; and frankly, I do not think it is acceptable. I think instinctively the American people do sense, do understand that Social Security is in trouble today. If we ask young people, and by overwhelming majorities, younger people know that Social Security, as it is currently constituted, cannot be there for them when they get ready to retire; and so simply doing nothing is really not an option.

There are legitimate differences of opinion on how best to tackle the looming financial deficit in Social Security. There are a number of different ways that we might fix Social Security, and I think we need to honestly debate all of the different approaches that are out there. We heard one of them described by the gentleman from Florida (Mr. SHAW). There is the Kolbe-Stenholm plan. But one thing for certain is not an option and that is complete inaction.

Let me just review again a little bit of what the gentleman from Florida (Mr. SHAW) laid out for us here today, and that is, some of the financial problems that the Social Security trust fund faces in the coming years.

The trust fund, as my colleague correctly pointed out, it is a trust fund in name only. It has in it only the IOUs of the government, that is, the IOUs for the trust fund, nonnegotiable government instruments. That trust fund faces an enormous unfunded liability under current law. It is not because of anybody robbing the trust fund. It is not because of anybody taking the

money and doing anything with it. It is the very simple fact that the demographics of people living longer, growing older, a larger older population and a smaller working population, people starting their families later, having fewer children, the demographics of those who pay the taxes for Social Security to support those who receive the Social Security benefits simply do not work in the long run.

The result is that we have promised to pay, as this shows, \$25 trillion more in benefits than we have promised to collect right now in payroll taxes. I will repeat that number. We are looking at a \$25 trillion, trillion, not million, not millions, trillion, shortfall in the Social Security trust fund in the gap between what we are going to collect in taxes and what we have promised to pay out in benefits over the next generation or two.

It is just 15 years from now that Social Security will for the first time begin to run annual cash deficits, and as the gentleman from Florida (Mr. SHAW) pointed out, since seniors expect not a piece of paper but a check that is negotiable, we have to convert these IOUs into cash. That means the government has to start to borrow money or we raise taxes. We raise taxes or we borrow money in order to pay those benefits.

That is when the deficit, in just 15 short years, becomes a very serious problem. Now, 15 years is not that far from now; 15 years before was not that long ago. Fifteen years ago we were just at the end of Ronald Reagan's administration. I was here in the House of Representatives. Fifteen years from now, most of the people that are listening to this or here on the floor will still be either retired or the young people that we see here on the floor will be in the middle of the early part of their working years. They will be paying these taxes and wondering what has happened to the Social Security system, why am I paying these taxes when it is clear there is not going to be anything there to pay the tax for me.

By the year 2030, the annual deficit in Social Security in one single program alone will reach \$630 billion; and in that one single program, we will be running an annual deficit in Social Security of \$630 billion. That means the government is going to have to borrow \$630 billion in addition to the payroll taxes it is collecting just to pay the benefits that it has promised to pay for retirees at that point.

Between years 2017 and 2041, the Federal Government will need to raise almost \$4 trillion in new money to redeem the Treasury bills held in the Social Security trust fund. Just to give my colleagues an idea of the magnitude of what this means, how could we make up that deficit, how could we make up that shortfall? Well, we could do so by cutting some government programs. If we cut out all the spending, all the spending that the Federal Government does on Head Start, the WIC

program which supports women and infant children; all the money we spend in education programs at the Federal level; all the money we spend in the Interior Department to support our public lands and parks, national parks and monuments here in Washington, D.C.; all the money we spend for veterans programs, including health care for veterans; and all the money that we spend in commerce, to support NOAA and trade promotion, everything else that the Commerce Department does; all the money we spend for environmental protection, EPA; and all the money we spend on space in NASA, if we cut out all of that, all of that, we still would not be making up the shortfall that we would experience each year by the time we get to the year 2040 of the deficit that we will be experiencing in Social Security.

So the options are pretty bleak unless we do something now, unless we begin to face up to the realities of this problem now. The government is going to be forced to increase taxes on American workers or businesses, or they are going to have to make deep cutbacks in other programs to free up funds to meet our Social Security obligation; or of course, there is the option which none of us believe is an option at all, and that would be to cut Social Security benefits for the people when we have already promised it to them.

So the choices we can make are some tough ones. We can either make the tough choices today to deal honestly with the challenges that the Social Security system poses to us, or we can leave a fiscal time bomb for future generations and truly put the benefits at risk. That is why, Mr. Speaker, bipartisanship and candor have to be at the heart of what we are going to do about Social Security.

This debate, as we have just heard from the previous speaker, is often characterized as an either/or choice between two ideological poles. Either we have the status quo or we have privatization. Defenders, of course, of the status quo argue that any reform that includes a market-based component is going to undermine the current safety net features and expose workers to dangerous risks; and the other side, the advocates of full privatization, suggest that creation of a privately managed personal account is painlessly going to solve the challenges, but forget that Social Security provides more than just retirement income. It provides for disability insurance for the needs of other special populations.

So if we take those two extremes of do absolutely nothing and just privatize the whole system, I think we are looking at two extremes that really do not solve the problem at all. They may make for good, albeit myopic, rhetoric. They may help at election time, but they do not acknowledge the virtues that we have of something that is in the middle.

The real solution to Social Security has to be to fuse the best of the traditional program with some market-

based options, because it is possible, it is possible, Mr. Speaker, to establish personal accounts for younger Americans, not for people who are already retired, not for people like me who are nearing retirement, but for younger people who will have time to invest in those personal accounts, who will have time to see those accounts grow.

It is possible to establish those personal accounts, personal accounts of which they have individual ownership, of which they have control of the retirement income, of which they have flexibility to decide how to invest that and to change it as they get closer to retirement. That can strengthen and improve the vital safety net protections that the Social Security system has to provide.

So none of the reform plans that I know about are anything that approaches privatization. It is simply the wrong word. It is used as a scare word, and when we hear that, just remember that it is being used as a scare word. Privatization is the wrong description. It is the wrong word; but we ought to frankly stop bickering about the label of privatization.

We are suggesting that workers be given a degree of flex. That is what we are really talking about, flexibility with how they invest a small portion of their Social Security payroll taxes, giving workers some flexibility to make some choices about their investments. We are not talking about dismantling Social Security. We are talking about investment flexibility. We are talking about ownership. We are talking about individuals having some control over their retirement options.

The directors of the Congressional Budget Office, the General Accounting Office, Federal Reserve Chairman Alan Greenspan and many other policy experts have all testified in front of various committees of Congress and the President that we must make some tough choices to return Social Security to solid financial footing.

So, Mr. Speaker, what needs to happen if we are going to have this debate, which is so important to the survival of this program, we need to acknowledge there is no magic bullet.

□ 1545

There is no free lunch, no free lunch solution that is going to allow us to provide 100 percent of promised benefits without trade-offs somewhere else. But I do say that personal accounts can help make the task a lot easier for policymakers, and it can limit the impact that the deficit that we are talking about and the problems we see will have on future beneficiaries. It would give them some hope by giving them an investment that they are going to have some return in their Social Security retirement that right now they cannot look forward to seeing as we look down the road to the year 2070, to 2050, when people today just starting out in the workforce will be retiring.

Including individual accounts, personal accounts in the reform plan does

not require deeper benefit reductions than would otherwise be required. Let me repeat that. Does not require deeper benefit reductions than would otherwise be required. But neither does it mean that no changes, no reductions for future beneficiaries is going to be unnecessary. The gentleman from Texas (Mr. STENHOLM) and I have never claimed that the reform plan that we have put on the table is perfect. Members can go through the plan that I have introduced with the gentleman from Texas (Mr. STENHOLM) and select items that they want to criticize. We went too far here, not far enough there. However, we need to examine plans in their entirety. How would the plans affect the future retirement income, the Federal budget, and the health of the American economy.

If Members determine that the acceptability of reform based on adherence to simplistic pledges, a pledge of no personal accounts or a pledge of no changes to benefit levels, or a pledge of no increase in taxes, then we are never going to reach bipartisan consensus on how we fix Social Security and how we pass legislation that will actually accomplish that.

Keeping Social Security intact for those who depend on it today, and for those young people who are just starting out in life today and have some expectation that they should have something from this system, it is a commitment that none of us should ignore, and we need to find a way to bridge the gap between these generations. But the fact is the Social Security system that we have today is vastly underfunded, and it will impose staggering financial burdens on younger workers and future generations of workers if we leave it completely unchanged.

Mr. Speaker, it is time to move past the demagoguery which has overwhelmed the Social Security debate in the past, and work together to provide a secure retirement for all Americans. I believe the discussion we are having today that the gentleman from Florida (Mr. FOLEY) has initiated is a good discussion. I believe it is important that we begin this discussion today, and I commend the gentleman for having this Special Order and giving us an opportunity to talk about Social Security, the importance of Social Security, that we attach to Social Security for people who are retired today, and the importance of Social Security for young people who will depend on this system in the future. Both the current retirees and those who are working but will retire in the future, need to know that the system holds promise for them.

I hope that this debate, this discussion today, will begin the process that we need to have in this country of having a national debate on how we fix it; but let us leave no doubt about one thing: Social Security does require fixing. Doing nothing is not the option.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Arizona (Mr. KOLBE),

and of course the gentleman from Florida (Mr. SHAW) who spoke earlier, on what is a vital, important and outstanding program for seniors. The gentleman has worked a long time on this proposal. I personally commend the gentleman. We do not call the plans between Members competing, we call them complementary for a reason. We are looking for solutions to real problems, and I salute the gentleman for taking time for this discussion today.

Mr. Speaker, we have been joined by the gentleman from Ohio (Mr. PORTMAN) who has worked tirelessly on pension accounts, which are of interest to all Americans who have actually had a chance to build up their own portfolios through IRAs and 401(k)s. The gentleman has been an important architect in not only emboldening those plans to give more financial security, but actually doing something even more meaningful for some of the younger generations who may not have been able to afford to contribute the \$2,000 per year to their IRA by giving a catch-up provision that kicks in in later years so they are able to actually add to their Social Security account through their IRA plan so their retirement plan is more insured and more secure.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank the gentleman for that introduction, and for having this Special Order tonight. Nothing is more important to the future of this country than addressing the retirement security needs of all Americans.

We have spent a lot of time in this Congress over the past 2 or 3 years working on ways to increase two of the three legs of the retirement security stool. Those two legs are the employer-based system, which is expanding 401(k)s and expanding defined benefit plans; and we have done a lot in that regard. Next week on this floor we will be taking up legislation to ensure that those changes are permanent.

We have also helped with regard to the second leg of that stool, which is private savings. We have expanded from \$2,000 to \$5,000 the amount that someone can put aside in an individual retirement account. We have been sure through this process to also focus on the third leg of the retirement security stool, and that is the public pension side or the Social Security side.

There we have had less luck in passing legislation because, frankly, it has become, unfortunately, a very partisan issue. The reason I commend the gentleman from Florida (Mr. FOLEY) tonight for having this Special Order, and commend the President of the United States, and my colleagues who spoke earlier, they are talking about this very critical third leg. People around this country depend on Social Security. Twenty percent of the seniors in my district depend exclusively on it, and that roughly \$900 a month is critical to their being able to live their

life with a little dignity after years and years of hard work.

Mr. FOLEY. Mr. Speaker, if the gentleman will yield, it is the security of seniors we are here protecting. We are here protecting that valuable program. We are not changing their benefits; is that correct?

Mr. PORTMAN. Mr. Speaker, the gentleman is correct. What we are doing through these other two means, one, increasing what can be saved for retirement through a 401(k) or defined benefit plan; and, second, improving what you can save individually through your personal savings. We are helping everyone to have a more secure retirement. We are going to continue to work on that.

With regard to the third leg, Social Security, we are suggesting that the program needs to be strengthened and improved. Here are the alternatives. We can raise payroll taxes dramatically, and already payroll taxes are the most regressive tax out there, already too high. Most people around America pay more in payroll taxes than they do in Federal income taxes. Or, we can reduce benefits. We do not think that benefits ought to be reduced or payroll taxes ought to be increased to the substantial level that they would have to be in order to sustain the program. Instead, we think we ought to look at more creative ways to be absolutely sure that every senior has retirement security.

The President's principles that he has laid out are ones that most of us on the Republican side support, that any plan that changes Social Security be voluntary, that it not affect any senior who is retired or near retirement in any way at all. Any benefits they get now, they would get; but that we come up with creative ways to ensure that this program is there in the future.

I just saw a couple of charts as I was walking up that make this point very, very clearly. First, what is the problem. The problem is the way Social Security was set up. It was a pay-as-you-go system. When FDR started this program in 1945, we had 42 working Americans paying for the benefits of every one retiree. Most people did not live until age 65. Now the good news is that people are living longer, more productive lives. Also, we have this baby boom generation that is beginning to retire. That means today there are only three workers for every retiree. By the year 2035, which is not too long from now, there will only be two people working. This is the demographic problem that Social Security faces.

Again, the other two options that the other side of the aisle wants to rely on is to reduce benefits, which would be, for seniors in my district and around the country, would be a terrible result. We would have to reduce benefits by 27 percent by the year 2041, and this is based on data from the trustees of Social Security, a nonpartisan group. This is not somebody who has an ax to grind. These are the actuaries who do

the analysis and look at it from an objective basis.

By 2076, a 33 percent reduction in benefits. Is that a good result? No.

You could increase payroll taxes. Again, payroll taxes are already too high. We would have to have a substantial increase in taxes. By the year 2041, 16.9 percent increase, a 37 percent increase over today. There would have to be a 16.9 percent payroll tax, which is a 37 percent increase in payroll taxes by the year 2041.

By the year 2076, there would be a 52 percent increase in payroll taxes. Again, to me these are not solutions that we want to have to fall back on. Rather, we want to be proactive and address the program so we can be sure that our seniors have peace of mind in retirement that they so much deserve.

Here is the big picture on this chart. Right now we are here, and we have a short-term surplus in Social Security, but soon the lines will cross. The benefits going out will be greater than the amount of taxes coming in. Why? Again, because Americans are living longer. It is a good problem, but a problem that we need to deal with; and second, we have this large baby boom generation, my generation. Baby boomers ought to know that we are beginning to retire, and we are creating a huge problem for future generations to be able to fund this problem. That is why there is a \$25 trillion shortfall over time.

This is what the President is talking about. It is the right thing to do to talk about this issue. It is the wrong thing to do to make this political and partisan, to scare seniors. Do not scare my grandmother. She is 97, and has worked hard during her life. She deserves to know that check is continuing to come. She is one of those people who is living longer, and deserves to know that she is going to have security in her retirement.

The opportunity we have is to come together on a bipartisan basis and make a huge difference for the future of our country and our seniors. If we allow this to become a political football and just toss it back and forth across the aisle, or put our head in the sand and say there is no problem, we will be doing a great disservice to our future, to our seniors and to this great country. This is a challenge that this Congress must take on. It is one that I believe we can take on again. The leadership of President Bush is very important in this, and I commend him for making it one of the primary issues that he took up not only in the Presidential campaign, but since being elected has talked about increasingly. I hope that we can join hands and come together and create a better future for all Americans.

Mr. FOLEY. Mr. Speaker, as we conclude today, I thank the gentleman from Texas (Mr. ARMEY) for providing this time so Members can discuss at great length this important, valuable and vital program for American seniors.

I talked about my grandmother when I opened, and I would like to talk about my parents, Ed and Fran Foley of Lake Worth, Florida. My father is 81, and I will just leave it at the fact that my mother is younger than my dad, and I will not mention her age. I want to go home and eat over the weekend, and if I mention her age on the House floor, she may be a bit upset.

I suggest that they are both recipients of Social Security. We want to underscore to every senior like my parents, and much like my grandparent, we are not changing the benefits of Social Security recipients. We are not reducing them. We are not replacing them. We are not privatizing them. We are ensuring them. We are ensuring that seniors across America can count on that check, whether it is direct-deposited or comes to a mailbox near their home. We are ensuring that every senior who has worked hard building this economy, the greatest generation that served us in World War II, are given the confidence by this Republican leadership that we stand behind the pledge and promise that Social Security would be there in their golden years. That is a gold-plated guarantee by this body.

We are not investing their funds in the stock market. To the contrary, we are ensuring their success and survival. I reject the claims of the minority and suggest we are working productively to ensure the continuation of this valuable program.

For those who are disabled or survivors, children of people who have passed, who count on Social Security, our commitment is stronger than ever, and it is a bond we make with those who are frail in our community that need Social Security. So if you are disabled or a survivor, you can count on the continuation of this valuable program.

□ 1600

We are also telling current workers that we are not going to tax them further in order to ensure a political success formula for us. We are going to make certain it works without burdening hard-working young men and women who are earning their way and supporting their families.

Today has been about speaking about a greater point of view of protecting a generation who served us in a phenomenal way, many who led us out of the Depression and through World War II, through Korea, some through Desert Storm, who because of disability are now on Social Security. This is a generation that has brought this Nation to the greatest place and the greatest time on Earth. This is a generation that we should celebrate and support and applaud. Let us not demean the debate with the silly rhetoric of scare tactics.

Again, I mentioned I come from Florida, and each political season I get ready for the attacks that run against myself or Mr. SHAW suggesting somehow we are going to take away this

valuable program. Fortunately, the voters are smart enough to reject those election lies. They are election lies. I do not like to use the word "lie" on the floor, but I cannot characterize it any other way because there is no factual basis to them. They try to scare seniors. The last candidate for President tried to scare seniors in my State of Florida, tried to win the election by scaring vulnerable seniors. To have a conversation about Social Security should not be about fright or frightening people. It should be about uplifting them in this great hall of debate.

I choose the high road in this debate as does the majority leader and the Speaker and the majority whip and every member of our conference. We have heard from several today who enunciated our plans for continuing and securing America's future. Over the next several weeks we will continue to engage in debate and respond to the charges by the other side of the aisle. We are not going to sit back and take it anymore. I made that comment last week and I make it again. Bring your charges to this floor and we are ready. We will answer your rhetoric with fact; and we will provide the information so that seniors, as they sit in their living rooms, know the truth. The truth is Social Security is a vitally important program, and we are here prepared to do our duties to ensure the continuation of this great program.

I want to thank you, Mr. Speaker, today for indulging and for all those who participated and again my thanks to the majority leader, the gentleman from Texas (Mr. ARMEY), who recognizes, as he concludes his career in the Congress as we adjourn this session, the value of this program, the value of seniors, and our commitment to continue on leading this Nation in a financially prudent and positive manner.

#### COLORADO FIRES

The SPEAKER pro tempore (Mr. KELLER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, as we stand here tonight on the floor of the House, fires are raging in my State of Colorado, fires so devastating, fires so great in proportion. Historically, they are great in proportion, and they are so big that they can be seen, as we are told now, from the Space Shuttle. The smoke and ash from the fires in Colorado can be seen by the people on the Space Shuttle.

These are in every sense of the word catastrophic fires. The one burning closest to my home, the Hayman fire, is over 100,000 acres, I understand, and will probably be burning all summer long. Hard for people to understand that, hard for anybody to get a handle on that concept; but it will probably be burning all summer long we are told, and that is just one fire. There are sev-

eral others going. There are several starting also, and this one started last Friday. Many of these are being started by arsonists. It is incredible, but that is what is happening in and around Colorado. Of course, in other States they are experiencing similar types of situations.

Now, every ounce of our effort at the present time should be and is directed to trying to fight these fires, and that is certainly appropriate. There will be plenty of time for recriminations as to how and what would be the best way to deal with these things, what would be some of the things we can do to make sure that fires of this nature do not start again, at least to the extent we are able to prevent them.

This was started by a careless camper. He had a fire, illegally. We were at a time that there were no fires allowed in the national forest, no campfires whatsoever. But the law was disregarded by some selfish and unenlightened soul. The fire got out of control, and within just really a very short period of time it had already consumed a good part of the forest around it, and is now, of course, as I say, approaching 100,000 acres, if it is not over that already, 100,000 acres.

Putting that in perspective, we are probably reaching the point when it would be about three times the size of the District of Columbia, just for people to understand what a 100,000 acre fire is. Combined, of course, with all of the other fires going on right now in Colorado, I am sure we are approaching that total.

Now, as I say, this fire was started by an illegal campfire that got away, that was left essentially unattended and got away from its confined area. There will always be fires in the forest. That is part of the natural order of things. There is no two ways about that. We cannot and should not prevent all fires.

So the issue here is not the extent to which the fire that we are witnessing right now could have been prevented. Of course, it could have been prevented, if someone had not carelessly ignited a fire at a campground. But, beyond that, it could not have been prevented even if we had done a lot of work in that forest, because right now, of course, we are in the midst of a horrendous drought. It goes all the way, frankly, from the Canadian to the Mexican border.

The middle part of the United States is facing a drought, is facing drought conditions that are unprecedented in recent history. Certainly in the last 100 years we have not seen anything like this. The snow pack is very low. I was amazed on Monday when I had the opportunity to fly into the fire area and observe the fire, to observe the damage, I was amazed as I looked at Pike's Peak, which is not too far from the site of this fire, and saw just a few ribbons of snow still there. Usually, you can see snow on Pike's Peak in July, sometimes August.

I have lived in Colorado all of my life, and I can remember many, many

summer days getting up in the morning, going out to get the paper, looking up at the mountains, and seeing a snow-capped mountain range in front of me in June or July. There is nothing. There was nothing last Monday when I went through this area. There was no snow. There has been no rain, and there are no prospects for rain that we can see on the horizon. So that is why we are going to have massive forest fires, drought, hot weather and densely forested areas.

Now, here is where we can do something about it, and this is what is important for us to try and tackle, because we do have some ability to deal with this situation. We cannot, as I say, nor should we even try, to stop natural fires from occurring. We simply should make sure, to the extent possible, that they occur in areas that have been managed, that is to say, thinned; where the undergrowth of the past 100 years of fire suppression efforts, the result of fire suppression efforts, has accumulated to the extent that we have now this tinderbox called the national forest.

It really has been man's ineptness, man's inability to manage the forest properly over the last 100 years, that has helped cause this situation, our fire suppression efforts, which has been the main thing everybody has been focused on for 100 years.

This is as seen from the space shuttle. This is the fire in Colorado. You can see the smoke plume and the fire down here.

The fact is that there are fires all over the United States, of course. There are fires burning down there. There are fires in several other locations. But this is the one that is incredible. Here is the Glenwood Springs fire. This is the one I was referring to as the Hayman fire. This is my home right here. Down by Durango we have another fire, near Trinidad, Glenwood Springs, and over here by the Utah border, just inside the Utah border. These are the fires in Colorado at the present time.

Mr. Speaker, the fact that for 100 years we have attempted to follow a policy to suppress all fires has created a devastating situation, a very, very dangerous situation in our forests. Suppression has meant that we have allowed old timber to fall, to fall to the ground, to decay and to dry out, and that becomes part, of course, of the fuel. We have allowed a tremendous amount of small saplings to grow, and that has become part of the fuel, because they stay relatively small. The forest canopy does not allow for them to grow quickly. It becomes part of the undergrowth.

When it gets like this, when it gets as dry as it is now, that is what we could certainly call a tinderbox, and it takes very little to set it off. Of course, lightning will do it. Time and time again, that is the natural way of fires to start in the forests.

However, when a forest has been thinned by our efforts, by the efforts of

the Forest Service or anyone else, when the forest has been thinned, it is simply a logical situation where you will have less opportunity for these catastrophic fires to burn as quickly as they do and as hot as they do.

These fires that are burning now are so hot that they scorch the Earth below them. Three or four inches down there will be nothing. When this fire passes, there will be nothing there but what we cannot really call Earth, because there is no organic material in it. It has been scorched to 3 or 4, sometimes 6 inches deep. Nature lays down a hyperbolic blanket below that through which nothing can permeate, so regardless of how much rain you get, it does not let it go farther down, because nature is trying to actually save the soil below that layer of impermeable matter.

But what happens above that, of course, is the next time it does rain, all of that will wash away. It will wash down the sides of the slopes into the tributaries; and, in this case, it will run into the Denver water supply, the reservoirs that form the water supply for the Denver metropolitan area.

So once this fire is put out, whether it is in 90 days from now or not, whether it is all summer long, whenever it is put out, that is only the beginning of the problem. Erosion then begins to occur, and the next time it does rain or snow all of this will move, all of the material will move, the ground cover will slide down and end up as silt in these reservoirs.

□ 1615

It will cost millions of dollars. We have already spent, I think, approaching \$40 million for this fire. It was \$20 million the last I looked; it is probably double that now because it has been twice as long since I heard that figure; \$40 million for the fire, but that will be dwarfed by the amount of money that we have to spend in order to try to repair, to the extent we can, the ground itself, and also to filter out the Denver water supply.

Now, there are ways in which man can positively affect the forest environment. There are ways that we can now deal with the land that can reduce the severity of the fires. We are never going to, as I say, nor should we try, to stop all fires. That is really what has gotten us into the situation we have now. We know that is wrong. But we also know that to the extent that we do go in and thin out a forest area, we actually accomplish some very positive goals. Fire will not burn as quickly, it will not burn as hot, it will not burn through the forest if, in fact, it comes to an area that has been treated.

Now, this is very difficult to see and probably impossible, but I will try, nonetheless, to explain what we have here, a couple of pictures of where there was treated area and where there was not. The fire burned right up to it, burned every single thing in its path in the area that was untreated. This is

called the Bucktail fire in Colorado. It came up to and stopped, essentially stopped at the treated areas. The fire comes down out of the trees, goes on to the ground and eventually burns itself out in these treated areas.

It is amazing to see. I have seen it with my own eyes. I saw it 2 weeks ago when we were in Colorado and went back to the district and were looking at the effects of other fires, earlier fires, High Meadows and the Snaking fire, they were called. And we could stand on a line and look straight down that line and on the right-hand side where the area had been treated, the fire had stopped. All the way on the left-hand side for as far as one could see, everything was destroyed; just these black spindles sticking up out of a lunar landscape. Everything was destroyed and, as I say, even the ground was seared. We got to that line, and it dropped down out of the trees just like it is supposed to and burned some cover on the ground and burned itself out.

Now, this fire, I do not know how much less severe it would have been had we been able to get in there and do some of the things that the Forest Service had planned on. There was only one area, a roadless area, that was in the middle of this Hayman fire area which had been identified by the Forest Service as the place in which they were going to do thinning. About a year and a half ago when they were ready to start the job of thinning that area, a group of environmental organizations filed an appeal to stop them, stop the Forest Service. This is *modus operandi*; it happens all the time. The Forest Service goes into negotiation with the environmental groups to try and solve the problems that are presented to them, try to meet the needs of the environmental community in their plan to remove these trees, in the Forest Service plan to remove these trees and underbrush. It goes on negotiating for about a year and a half. We come to the end of that period of time when we think there is an agreement with the environmental community on exactly how the efforts to thin that area of the forest should go on, and the next thing we know, they file another appeal, stopping the whole thing.

We were unable to get in there, therefore. The Forest Service was unable to do any thinning in this particular part of the forest, and I am referring to this roadless area.

Well, there is nothing to really worry about now. There is no reason for the environmental groups to file any other appeals, because the forest that they were concerned about is gone. It is all ash. And as I say, it looks like a lunar landscape. It is devastating beyond anybody's ability to describe it accurately, I guess; but one has to see it to believe it. Twenty-one homes so far, probably more than that, but that is what we know so far that are gone; at least 5,000 people evacuated, 40,000 people getting ready to evacuate.

The impact, as I say, on the environment as a result of the fire will be

enormous. It will be much greater than we can possibly imagine, because this is a bigger fire than we can possibly imagine. So all of the things that happen as a result of a catastrophic fire like this are just waiting for us to try and deal with as time goes by. There are hundreds and hundreds of firefighters on the line, but there is little that they can do. The breadth of the fire is so wide, the intensity so great that there is really little they can do. They are dropping, of course, retardant, they are dropping water; but a lot of the water I am told that is dropping out of the buckets that are being carried in there is actually evaporating before it hits the fire, it is so hot, the air is so dry. This is a horrendous fire.

I want to emphasize that I do not blame environmental groups for starting this fire. Of course not. They had nothing to do with the cause of the fire. It is just that we could have had perhaps a much less severe fire had we been able to get in there and thin this land.

Now, I am proposing a piece of legislation that we started on 2 or 3 weeks ago; it was before this most recent fire started. It was after we went up and looked at the results of the Buffalo Creek and High Meadows and Snaking fires in Colorado. There were two things that I was confronted with when I got up there and when we were talking about it. One was that the fine for people starting illegal fires in the forest, illegal camp fires in a Federal area, anyway, is ridiculously small. It was like \$25 in that part of the forest where I visited, the Pike National Forest that I visited a couple of weeks ago; and I think it is about \$50 in the part of the forest that is presently on fire. A \$50 fine or a \$25 fine for starting something that could lead to this kind of enormous devastation. That has to be dealt with. That cannot be allowed to continue.

We actually had instances. I was told by the fire people, by the fire rangers up there 2 weeks ago that we had people who would chip in. When a fire ranger got there and told them they had started a fire illegally and the fine was \$25, the people just reached into their pockets and everybody chipped in 5 bucks and they handed him the money. So what? For 25 bucks. The other day when I was up there, when I was up there on Monday at the new fire, a forest ranger told me that she had talked to somebody on the phone, I do not remember if it was a day or so before, who wanted to know if they could pay the fine in advance, like a fee, for instance. In this case it was 50 bucks, and they wanted to just send them the "fee" or the fine to pay in advance to go up and start a fire in the national forest when it is in the middle of the most horrible drought we have had in 100 years. No one is ever going to lose money in trying to underestimate the stupidity of people like this. It is amazing.



So I have proposed legislation to increase that to a \$1,000 fine and the possibility of a year in jail if you end up doing something like this fire, or causing something like this fire. That is for starters.

Then we tried to deal with the issue of, again, what were the reasons, what were the problems that prevented the Forest Service from being able to get in there and clear the land. They really revolved around two things: internal inertia within the Forest Service, internal bureaucratic problems, process problems; it is called analysis paralysis. That is the phrase they use to describe it. Because they spend days, months, years in the analysis of minutia because there might possibly be a challenge, there might possibly be a court challenge, there might possibly be an appeal, so everybody spends 40 or 50 percent of the time they have, instead of actually managing the forest, writing reports that are designed as sort of CYAs, if you will, in case somebody has an objection to what you want to do, and nothing ever happens. That is internally.

Externally, we have groups, organizations that are dedicated to stopping any sort of activity in the forest carried on by mankind. There are the extremists on the one side that say there is absolutely no forest that really man should be in. Forests are nature's preserves and man does not have a place there. And they want to stop any activity whatsoever: no road building, no logging, no recreation. Just stay out. Forests are not for people. That is their motto. Forests are for animals and other forest denizens. And their continued legal battle with the Forest Service always spills into courtrooms or through the bureaucratic process of appeals.

So what we have is between the Forest Service's inability to act just, as I say, internally, and the lawsuits filed by groups like the Wilderness Society that filed the appeals on the thinning proposals for the Pike National Forest. The two things combined are deadly. They lead to this. This is the result. Again, not fires that they start, simply fires that grow faster and are more serious and more severe than they otherwise would have been.

What we are hoping to do is actually return parts of the forest, as much as we can, to a more natural state by thinning. It is imperative that we do this and do it as quickly as possible, or this is going to be the way in which our forests will be consumed in the next year or so. We have already burned more acres in Colorado this summer, and it is not even mid June, than we did all of last year, and I am sure that we are at historical levels. I do not think we have ever had as much land on fire in Colorado. I believe that that is what is going to happen all over the West as this drought continues, and as we keep putting obstacles in the path of the Forest Service to try and deal with this.

There is another bill, therefore, that we introduced that tries to accommodate the needs of everyone involved here. It is called the charter forest idea, the charter forest plan. It was originally proposed by the President. The concept was proposed by the President. We have taken it, I guess this is the first such attempt in the Nation to actually write a Forest Service plan placed on a charter forest. The idea is this: that the local community and the Forest Service will get together on a management plan. Everybody will be at the table during the discussion: environmental groups, business groups, local authorities, county, State, and municipal officials, and, of course, the Forest Service. Everyone will have the opportunity to develop a forest plan, and it will be managed at the local level, for the most part; and it will be freed of many of the bureaucratic obstacles that presently stop other forest management plans from being implemented. And we will be able to then accomplish some of our goals in terms of positive, healthy forest management.

I stress that everybody will have a role to play; everyone will have the ability to discuss the concerns they have about the forest plan; but once it is adopted, then that is the way in which that forest will be operated for at least 10 years. Then we will review it, we will review it actually midpoint at 5 years and again in 10 years to see how well that plan has worked and whether or not the whole concept of charter forest is viable.

It is built really on the charter school concept. That is where it gets its name. Because we have seen for years and years and years that public schools are unable to actually accomplish their tasks many times because of the bureaucratic problems they confront, that people taking the responsibility into their own hands for their children's education will start charter schools. They write a charter and they say, here is the kind of curriculum we want, here is the kind of teachers we want, here is the length of school day we are going to have, here is the number of school days, here is where the setting is going to be; and they write their own school charter and run it themselves at the local level, and we free up and take away many of the regulations and give them a much broader hand in actually running this school.

Well, that is exactly what we are talking about with a charter forest. We are going to reduce the regulatory burden, and we are going to add responsibility to the people at the local level to manage the forest.

So I hope that these concepts will move forward. And I hope that we will be able to quickly get into the forests all around this Nation. If we started tomorrow, of course, it would take us many years to really reduce the fuel loads throughout the forest. But we have to start somewhere. We cannot let fires like this do it for us because, of course, it will be 100 years before this

forest will return to anything that looks like a forest. We will all be long gone, and our children will have very little opportunity to enjoy the wonders of this magnificent natural wonderland. So I hope that we can do that quickly.

Now, there is one other area, and this leads me to the next part of my discussion, which will surprise no one; it has to do a little bit with immigration reform. There is another forest that has suffered severe fire damage in the last several months. It is the Coronado Forest in Arizona. I had gone down there a little bit before I went to visit the forest in Colorado; actually, I am sorry, it was about a month before, and we went down there because I am a member of the Committee on Resources and we had heard about the incredible environmental damage that was being done in that area and to the Coronado Forest.

□ 1630

Now, this damage was many-faceted. It was actually the result of literally hundreds of thousands of people coming through this illegally, coming from Mexico into the United States and using the rough terrain and the heavy brush to stay undetected while they came through, either individually seeking whatever they were seeking in America, most of them I am sure looking for jobs, and/or bringing in narcotics, illegal drugs.

The area has now become the most heavily trafficked area along the border for people coming in illegally and bringing in illegal drugs. What we saw were the folks on the border doing yeoman's work, the Border Patrol, in trying to interdict this flow of both people and drugs.

I think something like 90,000 pounds of marijuana and I have forgotten how much of cocaine and heroin have been confiscated already this year, but it still is coming; and it comes as a result of people carrying about 60 pounds of the narcotics on their backs in these homemade backpacks. They come through the forest.

They come by so many numbers, in such large numbers, that of course they begin to wear footpaths throughout the forest. This is a very delicate ecosystem. It does not take much, it does not take many feet on the ground to actually wear a path into the ground in a very short time; and it does not go away for a long, long, long, long time. It is almost like the tundra in that respect.

And just then, you will see that after they follow that path for a while, they will move off because they think that there are sensors that have been placed, and sometimes there are sensors that have been placed by our Border Patrol people to try to catch them, so they move over a little and create another path. When we fly over that forest, we look down and what we see is a spider web of paths, paths through the forest. They are also bringing both mules and horses through loaded with narcotics.

Then they will get to a certain place in the forest sometimes 5, 10, 15 miles up, and they will unload their goods. Another truck will come in on a road that is not a forest road, it will just be a road that was created by so many trucks coming in, pick-up trucks, Suburbans, large vans, SUVs, and they will come in and load the drugs on these trucks and take them out of there.

Of course, all that activity causes damage. There are roads all over the Coronado which are not Forest Service roads. They are simply drug dealer roads, but there are more of them than there are Forest Service roads. There is more activity in that forest with drug dealers than there is of any other thing; more than the campers, more than the hikers, more than the bikers. There are far more people coming through that place with guns protecting drug loads than there are people coming through to enjoy the scenery of a national forest; one of the oldest national forests in the United States, I should add. It was created, I think, in 1903.

That is not all that they have done to the forest. This packing material where they carry these backpacks made of this nylon fiber, where they unload, they just stack up these homemade backpacks that are nothing but, just like I say, these kinds of nylon rope things, but they will be coming in with huge stacks of them. The birds come and take it, build their nests out of it, and sometimes of course they get entangled in it. There are all kinds of environmental problems. The trash is incredible.

As we ride through the forest, as I was able to do on horseback the first day, then we flew over by helicopter the next day, but the first day everywhere we looked along these paths were empty bottles from water, plastic water bottles everywhere, clothes everywhere, tin cans where they made campfires and just cooked something over a fire in tin cans, and they were strewn all over the place. This was not a national forest; it was a national dump.

Now, the other thing that was happening, of course, was that these fires that they were setting at night, these campfires illegally set by people coming in illegally, were catching fire the next day. These people would walk away from it and not pay much attention to it; and of course it would catch fire. This area is also a place of incredible drought. It is a desert anyway, but right now it is even more dangerous in terms of fire.

The day we left there a month ago Sunday, a fire broke out that by the time we got back here had already consumed 35,000 acres. There was another one just a couple of weeks ago that started the same way with people coming through there illegally, people coming into the United States illegally, carelessly starting these fires, walking on and destroying part of the forest.

Now here is an intriguing aspect of it. We were told by the forest manager there that for many of the fires that they fight they cannot even use the typical firefighter methods. They cannot fly in slurry and drop it because there are so many people in the forest, so many illegals coming through the forest, that it actually would harm them. It would get on them. This retardant material might get on them, and we would get sued because we were trying to put out a fire; we dropped the fire retardant, but we have illegals coming through.

I am sure Members are aware of the fact that not too long ago a family of 11 people who died coming into the United States, coming in illegally, they died of thirst and dehydration, or in some way of the elements coming across the desert; and we are being sued by \$3.75 million for each one of them, as if it was our fault; we have a burden, and this is our responsibility.

Well, we cannot even fight the fires because there are so many people. We do not even put people up there at night to fight the fires because there are so many people coming through with guns protecting drug traffickers.

And about a little over 3 weeks ago, we had an incident that was very peculiar, and unfortunately, not all that unusual. I thought it was, when I first heard about it; but come to find out it is not all that odd. Here is what happened.

It is a Friday, as I say, maybe 3 weeks ago. Just south of Ajo, Arizona, on the Tohono O'odham Indian reservation, the Indian police came across a Mexican humvee with Mexican military markings on it, and Mexican military inside of it. This was inside the United States of America. This was on the Indian reservation, the Tohono O'odham Indian reservation.

There was a confrontation, and finally the humvee turned around and went away and went back to Mexico. The Indian police called the Border Patrol and the INS, and we sent the cavalry and got down there, and the Mexican military vehicle had turned around. What in the world were they doing there? What is going on?

A little bit later in the day it turns out we interdict a drug shipment. We seize it, it is 1,200 pounds of narcotics, probably marijuana, I am not sure, that were coming through in that same area. Hmmm. Coincidence? It could be. We have a Mexican military vehicle in the United States; we have this shipment of drugs coming through a little bit later that we interdict.

Later on that night, the United States Border Patrol was going along the border, and it comes across that same or another humvee of a similar type, we do not know which because they all look alike, but there is Mexican military inside and Mexican military markings on it.

They are ordered to turn around and go back. The Border Patrol agent is under orders to turn around and go

back when he confronts this kind of situation. For one thing, they are outgunned.

One of the peculiar things we have done in order to satisfy some of the concerns expressed by the Mexican Government is that we have taken many of the M-16s away from our Border Patrol people, taken them away and changed them into single-shot as opposed to automatic weapons, so we are outgunned at the border, quite frankly, and certainly outmanned.

He turned around to leave, and a shot rings out and goes through the back window of his vehicle, this is the Border Patrol vehicle, goes through the back window, hits a wire cage that separates the front seat from the back and ricochets off and goes out the right rear window, certainly coming close to killing this agent, this Border Patrol agent and officer.

Now, no one had heard about this. This had happened on a Friday. It was not until Tuesday that I got an e-mail message from a Border Patrol officer in the area telling us about this. I, of course, think that this is incredible. I think it is almost enormously challenging to the United States how this could happen, and how we do not say a thing about it in the United States.

No news program covered this; no newspaper in Arizona covered this. I mean, do Members not think it is newsworthy, Mr. Speaker? I certainly do. I cannot imagine this happening. Let us turn everything around. Let us say armed military of the United States went into some other country and started shooting at their federal police. What do we think would happen? Do we think we would be hearing about that from the state department of the country where this incursion occurred? I think so.

It turns out we have had 118 incursions of a similar nature. Luckily, most of them did not involve firearms, or they did not involve the discharge of firearms. About 90 percent of these incidents were with people carrying guns, but only a small percentage of these things actually ended up in firearms being discharged.

However, 118 times since 1997 we have had incursions into the United States by Mexican military troops or members of the Mexican Federal police, 118 times. These are confirmed, by the way. I am told by the Border Patrol that there are far more times than that that this has happened, but the status of "confirmed" is difficult to get, so 118 is what we have confirmed.

I kept saying, what are you talking about, 118 times people have come into the United States from a foreign country? Why, I said? Were they lost? And, of course, there were chuckles around the table. Everybody thought that was pretty humorous that I would ask the question.

But I said, I do not understand it. Were they lost? What were they doing in the United States? The answer given to me every single time by the people

down there was, it is drug related. It is the opinion of almost every single one, no, not almost, but of every single person that we asked on the border as to what was the nature of these incursions, why would we have Mexican military, Mexican federal police in the United States, and they said it is because they were either protecting or creating a diversion for, the same thing, protecting a large drug shipment that was going through.

They are not there all the time because most of the drug shipments are relatively small. It is a few people carrying these 60-pound backpacks, and there maybe 20 of them. They are usually preceded by a guy with an M-16 and followed up by a guy with an M-16 as they go through.

Imagine Mom and Dad camper at the forest there at the campsite, and all of a sudden going across the parking lot were 20 people, going across with narcotics in their backpacks, and followed by somebody with an M-16. It would be an interesting sight to behold, but I think a little more than they were bargaining for when they bought their parks pass.

□ 1645

But that is what is happening in the forest and it is actually being abetted by the Mexican government. This is incredible and yet we do nothing about it. The forest is ablaze down there just like ours, not to the same extent, but it is ablaze. But why will we not say anything about that forest?

It is also, by the way, closed. They have closed the Coronado to anybody coming through. No more tourists coming through. But of course, they cannot close Coronado to the illegal traffic coming through. They can only close the Coronado to the people who want to just recreate there. But it is too dangerous. The fire danger is too great. The danger also of confronting somebody that is armed is too great.

The forest manager of that area told me that his greatest nightmare is that one of these days there is going to be a shootout, there is going to be some sort of event that occurs that confronts tourists and/or some of his own people with people taking narcotics through there and somebody is going to get killed. It almost happened, like I say, about 3 weeks ago on a Friday when the Federal border patrol agent was almost killed. But we hear nothing about it.

The reason we hear nothing about it is because it is a very sensitive topic. When I called the State Department and asked them about it, they said, Congressman, we are taking this up at the highest levels of government. I said, How long have you been taking this up? This has been happening since 1997. When do you think we are going to get an answer?

I wrote a letter to the Mexican President Vicente Fox and said, I would like to know what you know about these events. I would like to know what you

are doing to stop these events. He did not write me back. I got a letter back from the ambassador from Mexico that said we do not like the tone of your letter and these incidents are being dealt with.

I am amazed that I have to sort of talk about this on the floor of the House to let people know what has happened. It should be a matter that is on every single news program in the United States. It should be something we talk about in the newspaper, something we talk about in our committees, in the Committee on Armed Services, in the Committee on International Relations. We should be discussing these things. We are not because we know that this is a very dangerous situation, very touchy situation, very sensitive.

Why is it sensitive? It is sensitive because if the American public knew about these things, the extent to which they exist, combined with what the American public already knows about the porous nature of our borders and the ability for people to come across them at will and maybe to do us great harm, that the American public would rise up and demand from their representatives that they do something to secure this border, our borders. And I do not mean just the border between the United States and Mexico. I am talking about the border all the way around this country, north, south, east and west.

We have to do far more than we have done to secure those borders. We have sent troops thousands of miles away to defend the borders of other countries, but we refuse to put troops on our own border to defend our own country. Does this make sense to anyone? The defense of this Nation, as I said a hundred times, begins at the defense of border. And if you do not think that we have a problem just because people are coming here illegally and they are just benign, they are just looking for jobs and why try to stop them, well, you are right. Most people coming into the country illegally are just looking for jobs and why try to stop them? But a lot of people are coming in with dangerous stuff on their backs, in this case, dangerous narcotics on their back.

What is to say the next person who wants to do something to the United States like a terrorist attack will not bring in something a heck of a lot worse on their back? And what is to stop them?

I guarantee you if you look at the border you will find there is nothing to stop them. It is 5,500 miles, some delineated or demarcated by barbed wire fence and periodic ports of entry. As if anybody coming into the United States illegally is going to go through the ports of entry and say can I come in. I just do not have a pass right now. Of course not.

Why do you not walk a mile down the road and walk across the line into the United States? You can do it. There is no problem. Why? Because we cannot

possibly defend our borders, can we? We cannot possibly defend 5,500 miles of border. You know what? We can. We choose not to. Can we make so it is impossible for anybody coming into the United States and do us harm? No. I know we cannot seal the border. It is impossible. It is impossible. We would not want to. There are trade issues and all the rest of that stuff. But can we do more than we are today to protect our borders? Yes, we can.

The President made a good first step when he announced last week when he is asking for the Congress to take action and create the Homeland Defense Agency that includes all of the disparate parts of border security. I am all for it. I commend him for doing that. I will do everything I can to support that effort. I hope that the Congress of the United States will act quickly to implement it. That will not be easy.

We all know here that one of the major obstacles to surrendering a little part of your turf is there are egos involved, and God forbid that anybody think that there are people around here with big egos. But let us face it, turf battles here are the deadliest and nastiest thing you will ever see.

This will be a massive turf battle because we will take agencies away from a committee of reference and put them over here, and every chairman will be very upset about the fact that they are losing their little bit of power. It will not happen easily, but it is our responsibility to do it. We are not at the end of the road there. There are other things that can be done.

Certainly the military can be implemented in a much better way than we have used them so far in the protection of borders. We will have more to say about this issue next week. But for the time being, it behooves us, it seems to me, to do everything we can to protect and defend these borders. And although there are plenty of people who do not like it, plenty of people here in this body, even in the administration, plenty of people in Mexico, maybe in Canada, who want to see open borders, the elimination of borders, it is such a nice idealistic concept, no borders, it is kumbaya time, everybody grabs hands and sings, and why can't we all just get along, as the old saying was.

Well, you know what, there are reasons for borders. There are reasons. And the idealism of libertarian concept of open borders just does not fit with the real world. September 11 of last year should teach us the importance of borders and well-defended borders. It should teach us the importance of trying to identify who comes into the United States and why and for how long and what are they doing here once they get here, and do they leave when they are supposed to?

Other countries are able to handle that. You would think a country the size of the United States with the resources of the United States would figure out a way to actually identify the

people coming in, determine how long they are going to be able to stay here, and determine when they leave. And if they do not leave, find them, deport them.

You would think we would be able to do that. It is a big country. It would be hard, but it is not impossible. We can do it, Mr. Speaker, and we must do it. That is the thing. We have no options, really, because frankly our responsibility as a Congress and as a Federal Government is primarily to defend the lives and properties of the people in this country. That is number one. All of the other stuff we do around here is not as important. The hundreds of millions of dollars, the hundreds of billions of dollars we have appropriated to the Department of Health and Human Services and the Department of Education and the Department of Transportation, all of that money, really and truly, although some of it may be well spent, the fact is it has nothing to do with the primary goal of this country and the Federal government, I should say, the responsibility of the Federal Government. Nothing to do with that. But it has everything to do with our responsibility to establish border security.

I have talked on this issue many times and at great length, and I can only hope that we have moved the process along a little bit and that we are going to take steps soon to actually do something to secure those borders. And as I say, I am very happy with the President's proposal for consolidation of activities inside the Homeland Defense Agency.

These are difficult times and we are challenged as perhaps we have never been challenged before. Because even in wars of the past we have been able to know exactly where the enemy was, confront them wherever they are, have the battle. We know who wins. We know who loses, and at the end of a period of time, thank God, the enemy surrendered and we know victory has been achieved and we can come home and begin our lives anew. But this is a different kind of war. We will never know perhaps when the battle is over with. We are challenged in a way we have never been challenged before as Americans.

It now behooves all of us in this body to take the important steps that have to be taken to secure those borders. Even then, as I have said a hundred times, it will not assure us that someone does not get through; but you can do at least this. You can say to yourself, I did everything I could as a Member of this Congress, as the President of the United States, I have done everything I could possibly do to secure our borders and to make sure something like this never happens again. It could; but on the other hand, we need to do everything that we can do.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORBES (at the request of Mr. ARMEY) for today on account of his daughter's high school graduation.

Mr. MCINNIS (at the request of Mr. ARMEY) for today on account of traveling to inspect ongoing fire damage in the district.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. LANTOS, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Member (at the request of Mr. WILSON of South Carolina) to revise and extend his remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, June 17.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following titles:

S. 2431. To amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits.

#### ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until Monday, June 17, 2002, at 12:30 p.m., for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7366. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Reduction in Production Cap for 2002 Diversion Program [Docket No. FV02-989-2 FIR] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7367. A letter from the Congressional Review Coordinator, Department of Agri-

culture, transmitting the Department's final rule—Citrus Canker; Quarantined Areas [Docket No. 02-029-1] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7368. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Importation of Used Farm Equipment From Regions Affected with Foot-and-Mouth Disease [Docket No. 01-037-1] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7369. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Imported Fire Ant; Addition to Quarantined Areas [Docket No. 01-081-2] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7370. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Oriental Fruit Fly; Removal of Quarantined Areas [Docket No. 01-080-2] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7371. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of Slovakia and Slovenia Because of BSE [Docket No. 01-122-2] received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7372. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's FY 2001 Chief Information Officer Annual Information Assurance Report, pursuant to 10 U.S.C. 131 Public Law 106—65, section 1043; to the Committee on Armed Services.

7373. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a Report on Activities and Programs for Countering Proliferation and NBC Terrorism; to the Committee on Armed Services.

7374. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7375. A letter from the Director, Office of Integrated Analysis and Forecasting, EIA, Department of Energy, transmitting notification that the Energy Information Administration's (EIA's), "Performance Profiles of Major Energy Producers 2000" is being released electronically on the World Wide Web; to the Committee on Energy and Commerce.

7376. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Resources, transmitting the Department's final rule—Over-the-Counter Human Drugs; Labeling Requirements; Partial Delay of Compliance Dates [Docket Nos. 98N-0337, 96N-0420, 95N-0259, and 90P-0201] (RIN: 0910-AA79) received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7377. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule—Medicaid Program; Medicaid Managed Care: New Provisions [CMS-2104-F] (RIN: 0938-AK96) received June 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7378. A letter from the Secretary of the Commission, Federal Trade Commission,

transmitting the Commission's final rule—Children's Online Privacy Protection Rule—received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7379. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Switzerland for defense articles and services (Transmittal No. 02-22), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

7380. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a report on the audit of the American Red Cross for the year ending June 30, 2001, pursuant to 36 U.S.C. 6; to the Committee on International Relations.

7381. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the texts of the International Labor Organization Convention No. 184 and Recommendation No. 192 concerning Safety and Health in Agriculture, pursuant to Art. 19 of the Constitution of the International Labor Organization; to the Committee on International Relations.

7382. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of justification for the waiver of loan default sanctions under section 620(Q) of the Foreign Assistance Act and Section 512 of the Kenneth M. Ludden Foreign Operations, Export Financing and Related Programs Appropriations Act, 2002 and a Drawdown under section 506 of the Foreign Assistance Act to support the Government of Afghanistan; to the Committee on International Relations.

7383. A letter from the Inspector General, General Services Administration, transmitting the Audit Report Register, including all financial recommendations, for the period ending September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

7384. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule—Micrographic Records Management (RIN: 3095-AB06) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7385. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule—Records Disposition (RIN: 3095-AB02) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7386. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on activities of the Inspector General for the period of October 1, 2001 through March 31, 2002 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7387. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Change in the Survey Cycle for the Portland, Oregon, Appropriated Fund Wage Area (RIN: 3206-AJ60) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7388. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Premium Pay Limitations (RIN: 3206-AJ56) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7389. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule—Increased Allowances for

the Educational Assistance Test Program (RIN: 2900-AL02) received May 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7390. A letter from the Secretary, Department of Veterans' Affairs, transmitting a draft bill entitled, "Veterans' Employment, Business Opportunity, and Training Act of 2002"; to the Committee on Veterans' Affairs.

7391. A letter from the Secretary, Department of Labor, transmitting the Department's report entitled, "2001 Findings on the Worst Forms of Child Labor"; to the Committee on Ways and Means.

7392. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received May 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7393. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Technical Revisions to Medical Criteria for Determinations of Disability [Regulations No. 4 and 16] (RIN: 0960-AE99) received May 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3429. A bill to direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes; with an amendment (Rept. 107-507). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BARCIA:

H.R. 4929. A bill to recognize the American Boxing and Athletic Association as the official sanctioning body for amateur elimination boxing contests; to the Committee on Energy and Commerce.

By Mrs. CAPITO:

H.R. 4930. A bill to amend title XVIII of the Social Security Act to establish a Medicare prescription drug discount card endorsement program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN (for himself and Mr. CARDIN):

H.R. 4931. A bill to provide that the pension and individual retirement arrangement provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent; to the Committee on Ways and Means.

By Mr. GEKAS:

H.R. 4932. A bill to amend the Social Security Act to establish an Office of Administrative Law Judges in the Social Security Administration; to the Committee on Ways and Means.

By Mr. GEPHARDT:

H.R. 4933. A bill to promote State historic tax credits; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself and Mr. HANSEN):

H.R. 4934. A bill to establish the Great Basin National Heritage Route, Nevada and Utah; to the Committee on Resources.

By Mr. GILLMOR (for himself and Mr. GOODLATTE) (both by request):

H.R. 4935. A bill to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina:

H.R. 4936. A bill to amend title 37, United States Code, to provide a dislocation allowance under section 407 of such title to retired members of the uniformed services and members on the temporary disability retired list moving from their last duty station to their designated home; to the Committee on Armed Services.

By Mr. LEWIS of Georgia (for himself, Mr. ISAKSON, Mr. SERRANO, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Ms. MCKINNEY, and Mr. PAYNE):

H.R. 4937. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that a portion or all of their income tax refunds be used jointly by the Office of Minority Health of the Department of Health and Human Services and the Office on Women's Health of such Department to improve the health of minorities and women; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OSBORNE:

H.R. 4938. A bill to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, and Mr. FILNER):

H.R. 4939. A bill to amend title XVIII of the Social Security Act to provide for a transfer of payment to the Department of Veterans Affairs for outpatient care furnished to Medicare-eligible veterans by the Department; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself, Mr. SMITH of New Jersey, Mr. EVANS, Mr. SIMPSON, and Mr. REYES):

H.R. 4940. A bill to amend title 38, United States Code, to enact into law eligibility requirements for burial in Arlington National Cemetery, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TOOMEY:

H.R. 4941. A bill to provide that the individual income tax rate reductions of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself and Mr. GREENWOOD):

H.R. 4942. A bill to improve patient access to health care services, extend the solvency of the Medicare Trust Fund, and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on the Judiciary, and in addition to

the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself and Mr. SCOTT):

H.R. 4943. A bill to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape; to the Committee on the Judiciary.

By Mr. WOLF (for himself and Mr. GOODLATTE):

H.R. 4944. A bill to designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. DAVIS of Illinois (for himself, Mr. BILIRAKIS, Mr. CAPUANO, Mr. BONILLA, Mr. McNULTY, Mr. HALL of Texas, Mr. WAXMAN, Ms. ROSELEHTINEN, Mr. DOOLEY of California, Mr. HILLIARD, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. FILNER, Mr. ROSS, Mr. DOYLE, Mr. ANDREWS, Mr. UDALL of New Mexico, Mr. RANGEL, Mr. RODRIGUEZ, Mr. THOMPSON of California, Mr. JEFFERSON, Ms. BALDWIN, Mrs. JONES of Ohio, Mr. BROWN of Ohio, Mrs. MALONEY of New York, Mr. TOWNS, Mr. SHIMKUS, Mr. SERRANO, Mr. PRICE of North Carolina, and Mr. WATTS of Oklahoma):

H. Con. Res. 418. Concurrent resolution expressing the sense of the Congress that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes; to the Committee on Government Reform.

By Mr. YOUNG of Alaska (for himself and Mr. DINGELL):

H. Con. Res. 419. Concurrent resolution requesting the President to issue a proclamation in observance of the 100th Anniversary of the founding of the International Association of Fish and Wildlife Agencies; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself, Mr. HUNTER, Mr. JEFF MILLER of Florida, Mr. HOSTETTLER, Mr. ADERHOLT, Mr. JONES of North Carolina, Mr. WELDON of Pennsylvania, Mr. HAYES, and Mr. HYDE):

H. Con. Res. 420. Concurrent resolution expressing support for withdrawal of the United States from the Anti-Ballistic Missile (ABM) Treaty; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself, Mr. MCHUGH, and Mr. MALONEY of Connecticut):

H. Res. 443. A resolution expressing the support of the House of Representatives for programs and activities to prevent perpetrators of fraud from victimizing senior citizens; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

290. The SPEAKER presented a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolu-

tion No. 21 memorializing the United States Congress urging the state attorneys general and the Federal Trade Commission to enforce the Telemarketing Sales Rule and urging Congress to adopt the Know Your Caller Act of 2001; to the Committee on Energy and Commerce.

291. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 27 memorializing the United States Congress and the Department of Justice to complete its inquiry into the mistreatment of Italian-Americans during World War II with all due speed and release the results of such inquiry to the public; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Ms. MCCARTHY of Missouri.  
H.R. 190: Mr. BROWN of South Carolina.  
H.R. 432: Mr. KILDEE.  
H.R. 433: Mr. KILDEE.  
H.R. 595: Mr. ACKERMAN and Mr. OWENS.  
H.R. 690: Mrs. MORELLA.  
H.R. 699: Mr. ROSS.  
H.R. 805: Mr. CARSON of Oklahoma.  
H.R. 822: Mr. LEACH, Mr. ROEMER, and Mr. LARSEN of Washington.  
H.R. 840: Ms. ROS-LEHTINEN, Mr. WYNN, Mr. ROGERS of Michigan, Ms. KILPATRICK, Mr. ISRAEL, Mr. BARCIA, Mr. LAHOOD, Mr. PAUL, Mr. McNULTY, Mr. CONYERS, Mr. JACKSON of Illinois, Mr. HOYER, Mr. CRANE, Mrs. DAVIS of California, Mr. WATKINS, and Mr. DAVIS of Illinois.  
H.R. 854: Mr. DEUTSCH, Mr. WOLF, Mr. EDWARDS, and Mr. LEACH.  
H.R. 945: Ms. CARSON of Indiana.  
H.R. 951: Mr. HOYER, Mr. HUNTER, Mrs. NAPOLITANO, Mr. NADLER, Mr. LINDER, and Ms. MILLENDER-MCDONALD.  
H.R. 1011: Mr. WAMP and Mr. THOMPSON of Mississippi.  
H.R. 1021: Mr. BILIRAKIS.  
H.R. 1108: Mr. MCHUGH.  
H.R. 1143: Ms. VELAZQUES.  
H.R. 1265: Mr. UDALL of New Mexico.  
H.R. 1452: Ms. SOLIS and Mr. NADLER.  
H.R. 1541: Mr. DUNCAN.  
H.R. 1596: Mr. ISTOOK and Mr. LOBIONDO.  
H.R. 1598: Mr. PLATTS and Mr. SABO.  
H.R. 1671: Mr. THOMPSON of Mississippi.  
H.R. 1859: Mr. RUSH, Mr. PASCRELL, Mr. BONIOR, and Mr. GONZALEZ.  
H.R. 1904: Mr. BAIRD.  
H.R. 1935: Mr. FORD, Mr. HAYES, Mrs. MCCARTHY of New York, Mr. MOLLOHAN, Mr. CRANE, Mr. ACKERMAN, Mr. LIPINSKI, and Mr. LUCAS of Kentucky.  
H.R. 2014: Mr. WILSON of South Carolina and Mr. SIMMONS.  
H.R. 2059: Ms. MCKINNEY.  
H.R. 2071: Mr. DAVIS of Illinois and Mr. MALONEY of Connecticut.  
H.R. 2094: Mr. PETERSON of Pennsylvania.  
H.R. 2098: Mr. ISRAEL, Mr. WAXMAN, Mr. PENCE, Mr. McNULTY, and Mr. LOBIONDO.  
H.R. 2148: Mr. THOMPSON of Mississippi.  
H.R. 2207: Mr. BALDACCI.  
H.R. 2284: Mr. CONYERS, Mrs. CHRISTENSEN, Mr. ISRAEL, Mr. FILNER, Mrs. MINK of Hawaii, and Mrs. JONES of Ohio.  
H.R. 2290: Mr. BROWN of Ohio and Mr. ENGLISH.  
H.R. 2364: Mr. SCHIFF.  
H.R. 2420: Mr. MEEKS of New York and Ms. LEE.  
H.R. 2442: Mr. FRANK.  
H.R. 2484: Mr. REYES.  
H.R. 2571: Ms. DELAULO.  
H.R. 2638: Mr. LARSEN of Washington, Mr. BLUNT, and Mr. GILMAN.

H.R. 2837: Mr. STARK.  
H.R. 2863: Ms. MCKINNEY.  
H.R. 2874: Mr. HOLT, Mr. HOLDEN, Mr. SANDLIN, and Mr. WILSON of South Carolina.  
H.R. 2908: Mr. LEACH.  
H.R. 3058: Mr. WU.  
H.R. 3324: Mr. SESSIONS and Mr. BEREUTER.  
H.R. 3335: Ms. MCKINNEY and Mr. KILDEE.  
H.R. 3337: Mr. MENENDEZ, Mr. REYES, and Mrs. KELLY.  
H.R. 3397: Mr. CROWLEY.  
H.R. 3424: Mr. GOODLATTE.  
H.R. 3443: Mr. MALONEY of Connecticut.  
H.R. 3464: Mr. PASCRELL.  
H.R. 3496: Mr. MCGOVERN.  
H.R. 3524: Mr. DAVIS of Illinois.  
H.R. 3533: Mrs. MALONEY of New York.  
H.R. 3543: Mr. CONYERS.  
H.R. 3595: Mr. STUPAK, Ms. MILLENDER-MCDONALD, Mr. KILDEE, Mr. ABERCROMBIE, and Ms. NORTON.  
H.R. 3624: Mr. LOBIONDO.  
H.R. 3626: Ms. DELAULO and Mr. REYES.  
H.R. 3673: Mr. OWENS.  
H.R. 3703: Mr. CROWLEY.  
H.R. 3794: Mr. RAHALL and Mr. PASTOR.  
H.R. 3831: Mr. HILLIARD, Mr. FLETCHER, Ms. PRYCE of Ohio, Mr. BARR of Georgia, Mr. GREENWOOD, Mr. CRENSHAW, Mr. SANDLIN, Mr. BRYANT, and Mr. SANDERS.  
H.R. 3884: Mr. RAHALL, Mr. MOLLOHAN, Mr. PASTOR, and Mr. TURNER.  
H.R. 3897: Mr. RILEY and Mr. HALL of Ohio.  
H.R. 3940: Mr. BISHOP.  
H.R. 3974: Mr. CONYERS.  
H.R. 4018: Ms. SCHAKOWSKY.  
H.R. 4033: Ms. BROWN of Florida.  
H.R. 4058: Mr. KUCINICH and Ms. MCCOLLUM.  
H.R. 4066: Mr. GRAHAM.  
H.R. 4089: Mr. DAVIS of Illinois, Mr. FALCOMAVALGA, Mr. UDALL of Colorado, Mr. HILLIARD, and Mrs. MALONEY of New York.  
H.R. 4091: Mr. FALCOMAVALGA, Mr. UDALL of Colorado, Mr. HILLIARD, and Mrs. MALONEY of New York.  
H.R. 4119: Mr. UNDERWOOD.  
H.R. 4169: Mr. VITTER.  
H.R. 4187: Ms. LOFGREN.  
H.R. 4194: Ms. KILPATRICK.  
H.R. 4483: Mr. FERGUSON, Ms. DELAULO, Ms. WOOLSEY, Mr. BURTON of Indiana, Mr. RODRIGUEZ, and Mr. OWENS.  
H.R. 4515: Mr. KENNEDY of Minnesota and Mr. STENHOLM.  
H.R. 4582: Mr. PETERSON of Minnesota.  
H.R. 4600: Mr. SIMPSON, Ms. DUNN, Mr. SCHROCK, Mr. BOEHLERT, Mr. OSBORNE, and Mr. GOODE.  
H.R. 4634: Mr. WELDON of Florida.  
H.R. 4635: Mr. CANNON and Mr. CHAMBLISS.  
H.R. 4642: Mr. DUNCAN.  
H.R. 4645: Mr. LYNCH.  
H.R. 4675: Mr. POMEROY.  
H.R. 4683: Ms. ESHOO and Mr. INSLEE.  
H.R. 4685: Mr. BACHUS.  
H.R. 4693: Mr. ENGLISH, Mr. SHIMKUS, Mr. HOLDEN, Mr. RAMSTAD, Mr. CANTOR, Mr. HOLT, Mr. PENCE, Mr. OWENS, Mr. SULLIVAN, Mr. SAXTON, Mr. WAXMAN, Mrs. KELLY, Mr. NADLER, Mr. BERMAN, Mr. FERGUSON, Mr. LOBIONDO, Mr. ROSS, Mr. CLEMENT, Mr. WEXLER, Mr. LINDER, and Mr. SHERMAN.  
H.R. 4707: Mrs. THURMAN, and Mrs. MINK of Hawaii.  
H.R. 4716: Mr. BARCIA, and Mr. TAYLOR of Mississippi.  
H.R. 4738: Mr. GILLMOR.  
H.R. 4742: Mr. WELDON of Pennsylvania, Mr. OWENS, and Mr. ENGLISH.  
H.R. 4754: Mr. ORTIZ, and Mr. OWENS.  
H.R. 4767: Mr. DUNCAN.  
H.R. 4768: Mr. KUCINICH.  
H.R. 4777: Mr. CRAMER.  
H.R. 4793: Mrs. ROUKEMA, Mrs. MINK of Hawaii, Mrs. MALONEY of New York, Ms. BROWN of Florida, Mr. ISRAEL, Mr. BAKER, Mrs. THURMAN, and Mr. VITTER.  
H.R. 4798: Mr. STRICKLAND, Mr. ROHR-ABACHER, Ms. MCKINNEY, Mr. FROST, Mr. KILDEE, Mr. ENGLISH, Mr. FRANK, Mr. GREEN of



Texas, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. ACEVEDO-VILA, and Mrs. MINK of Hawaii.

H.R. 4803: Mr. FATTAH, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. HALL of Ohio, Mrs. CLAYTON, Mr. FROST, Mr. OWENS, Mr. McDERMOTT, Ms. MILLENDER-MCDONALD, Mr. CLEMENT, Mr. BALDACCI, Mr. JACKSON of Illinois, Mr. CLAY, and Mr. KUCINICH.

H.R. 4804: Mr. BURR of North Carolina, Mr. HASTINGS of Washington, Mr. TANCREDO, and Mr. TERRY.

H.R. 4839: Ms. HART, and Mr. DUNCAN.

H.R. 4851: Mr. WATTS of Oklahoma, Mr. LUCAS of Oklahoma, Mr. WATKINS, and Mr. CARSON of Oklahoma.

H.R. 4852: Mrs. MEEK of Florida.

H.R. 4854: Mr. KILDEE, Mr. MCGOVERN, Ms. HOOLEY of Oregon, Mr. SCHIFF, Mr. FROST, Mr. TIERNEY, Mrs. MINK of Hawaii, Ms. DELAURO, Mr. HALL of Ohio, Mr. DAVIS of Florida, Ms. MILLENDER-MCDONALD, and Mr. EHLERS.

H.R. 4858: Mr. COSTELLO.

H.R. 4888: Mr. LARSEN of Washington, Ms. NORTON, Mr. SAWYER, Mr. BENTSEN, and Mr. HALL of Texas.

H.R. 4896: Mr. GORDON and Ms. MCCARTHY of Missouri.

H.R. 4918: Mr. KUCINICH.

H.J. Res. 40: Mr. SIMMONS.

H.J. Res. 92: Mr. CAPUANO, Mr. BERMAN, Mr. FROST, Mr. CROWLEY, Mr. SABO, Ms. WOOLSEY, Mr. ACKERMAN, Mr. PASCRELL, and Ms. SOLIS.

H. Con. Res. 60: Mr. CONYERS.

H. Con. Res. 197: Mr. BONIOR.

H. Con. Res. 291: Mr. WHITFIELD.

H. Con. Res. 382: Mr. KUCINICH and Mr. HOEFFEL.

H. Con. Res. 401: Mr. PASCRELL.

H. Con. Res. 402: Mr. FILNER.

H. Con. Res. 406: Mr. DELAHUNT.

H. Con. Res. 417: Mr. OWENS, Mr. WEXLER, and Mr. NADLER.

H. Res. 313: Mr. OBERSTAR, Mr. CONYERS, Ms. NORTON, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 393: Mr. SAXTON and Mr. JEFFERSON.

H. Res. 416: Mr. BONILLA.

H. Res. 434: Ms. BERKLEY.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

57. The SPEAKER presented a petition of the LaSalle County Board, Illinois, relative to Resolution No. 02-48 petitioning the United States Congress that the LaSalle County Board opposes any changes to the 800 MHz Band, and is in opposition to the Federal Communications Commission Notice of Proposed Rule Making (FCC 02-81) WT Docket No. 02-55; to the Committee on Energy and Commerce.

58. Also, a petition of the LaSalle County Board, Illinois, relative to Resolution No. 02-47 petitioning the United States Congress that LaSalle County endorses a federal subsidy for passenger rail service and a high speed passenger rail line through LaSalle County and Northern Illinois; to the Committee on Transportation and Infrastructure.